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INDEX

TO THE

COLONIAL AND STATE RECORDS

OF

NORTH CAROLINA.

COVERING VOLUMES I-XXV.

PUBLISHED UNDER THE SUPERVISION OF THE TRUSTEES OF THE PUBLIC LIBRARIES, BY ORDER OF THE GENERAL ASSEMBLY

WITH AN

HISTORICAL REVIEW

COMPILED AND EDITED
BY
STEPHEN B. WEEKS.

VOLUME IV
S-Z

RALEIGH
E. M. UZZELL & CO., STATE PRINTERS AND BINDERS
1914

E.V.

A289455

PREFACE.

In concluding this volume it seems proper to remind the reader once more that in the accompanying Index the conscious and deliberate effort has been made to have every proper adjective and every proper name, regardless of its relative importance, indexed every time it occurs; that every fact, every separate item which is distinct enough to have a form and substance of its own, has been indexed under every appropriate heading, and that each heading has been made as full as if no other heading was to be used. Notwithstanding this care, it will still be well for the student to check up the references under one heading by those under others and to examine, not only the material found under headings that may be counted more or less as synonyms, but also to examine references to materials under headings related, but not synonyms, for it would be impossible for an indexer to keep every synonym constantly in mind and use them always without variation. It is hoped that by this method the simplest investigator, provided he knows how to find words in a dictionary, may easily get all that this Index has on his chosen subject, whether it be, for instance, Customs, Duties, Imports, Taxes; or, Quit rents, Rents, Taxes.

It may be well to add also that, taking this work seriatim in indexing, relationships between parts have been seen which would not appear on the surface to the casual reader. The pages where such relationships—hidden references, as it were—appear have been given in the Index as well as those on which the original subject appears under its own name. By examining together all the references given, the reader may also see the connection.

I have grouped all references to well known personal names under the usual and correct form of that name, regardless of the vagaries of spelling that may characterize the contemporary writer. When the individual mentioned happens to be one who has not won for himself an assured niche in the temple of our State history I have been constrained to put the name down as it appears, or to put it under the most used form, with variant forms in parenthesis. I have also hoped to simplify the finding of names by inserting many cross references to variant forms, but the careful student when tracing family history will, independent of any suggestion from me, run down all names which may be considered variants of the one on which he is working. Only in this way can he be sure that he has all references

to a particular individual. And the capacity of these pioneers—strong, vigorous nation builders, but unlearned in books—to misspell personal names is marvellous. In this Index the same names vary in spelling—

> Like autumnal leaves that strew the brooks
> In Vallambrosa.

Another matter has caused no little trouble. That is the difficulty in differentiating references between two or more persons of the same name, living in the same section and at the same time. It is an old and familiar specter to genealogists, and can be solved only by a long and careful study of the surroundings. This I have had no opportunity to give. So far as my judgment permits, I have grouped the references to one man under his name, but it must not be assumed that all references assigned to any particular John Smith are his beyond question, and I may be pardoned if among the 125 John Smiths entered in this Index I have not assigned to each all of his own and only his own quota of references. The grouping given is simply the judgment of the Compiler from his general knowledge of the subject, aided by the time at which the subject is on the stage, with any other help that he was able to command for the moment. An absolutely correct grouping could be had only by the most minute and particular and painstaking comparison of the facts furnished by the records, supplemented by exhaustless sources of outside information. This task of verification I gladly leave to the research worker. It is his by right, not mine, and the careful student will, in any case, make this examination and comparison for himself, regardless of what I may have done.

I have printed at the end of the Index a short list of *Addenda et Corrigenda,* covering of course only such errors as have been called to my attention. In preparing this I sent a personal letter to some twenty-five of the leading students of the State's history, all of whom have used the Index and so have had opportunity to test its accuracy, with the request that they send me a list of such errors as they had found in the course of their investigations. Three answers were received. One correspondent assumed that there were, necessarily, some errors; another pointed out minor mistakes in interpretation; the third sent some half dozen corrections. If the character and extent of the replies from students can be taken as a guide, then there need be no fear of the general accuracy of the whole. In a work of

this size, extending to perhaps more than 400,000 entries, errors are to be expected, although the utmost care has been taken to avoid them. The two accidents that happened to the manuscript—once through the treachery of Indian assistants and once through somebody's carelessness—were remedied only at an infinite expenditure of time and care, but were so successfully remedied that I believe the Index as printed is more accurate and complete than before the occurrence of the accidents. My own use of the Index in manuscript, which has been quite extensive, and the reports I have had on it from scholars, lead me to believe that the total of errors and omissions will not exceed 1 per cent.

In addition to the names of those persons mentioned in volume 26 as assisting me in the work, my thanks are also due to Misses Sallie, Pattie, and Rosalie Turner, who read proof; to Mr. Julian A. Turner, Jr., who spent faithful months in repairing the damage done to the manuscript by water after it had left the Compiler's hands; to my wife, Mrs. Sallie Mangum Leach Weeks, and to my son R. Jackson Weeks, Ensign U. S. N., who relieved me of the tedium of indexing long lists of personal names, and to my son W. P. Mangum Weeks, who assisted in proof-reading, my grateful thanks are due. Nor should I fail to mention in this connection Mr. B. W. Nash, who in the early days of the printing was alone found capable of deciphering my handwriting—said to have acquired celebrity among wandering typesetters from Washington to Florida; nor Mr. E. M. Uzzell, the printer of the fourth volume, and his capable assistants who by their accuracy and care have saved me from the blush of shame which often comes when volumes two and three are compared with volume four. To these gentlemen who have worked with me for more than seven years over the difficult task of printing, and to Mr. George B. Justice, Assistant Commissioner of Labor and Printing, who, understanding the difficulties involved, has helped forward the work in every possible way and, appreciating the value of accuracy, has insisted always on correctness in the details of typographical form, my heartfelt thanks are due.

And now the Compiler has ceased writing cards, has ceased alphabetizing and editing, has said his last word to long suffering printers; he and they have read the last lines of proof; the last forms are being run off and the Compiler, after more than eighteen years of exacting

labor and unremitting attention to atrophying details, is about to lay aside his pen and rest forever from the making of this Index—a task difficult, laborious, exhausting, and thankless, but far from uninteresting; a task carried on amid the distractions of other employments, accomplished in sickness and death, in pleasure and pain, in good report and ill report, in peace and success, in struggle and defeat, within sight of the Nation's Capitol, on top of New Mexican mountains, under the spell of the awe-compelling silence of Arizonan deserts, and amid the beautiful rural scenery of Piedmont North Carolina—with the conclusion of his work he may be pardoned, perhaps, if he pauses for a moment and invites his readers to join him in an expression of gratitude to the fathers for their efforts—their many and long continued efforts—which have finally culminated in this noble series of Records which the State of North Carolina now contributes as her share towards the early history of the American Nation.

Stephen B. Weeks

WASHINGTON, D. C.,
February 3, 1896, and
August 3, 1914.

INDEX

TO THE

COLONIAL AND STATE RECORDS

OF

NORTH CAROLINA.

S

S——, Col., to send troops to Wake C. H., **17**. 798.
S. J., sec'y to Greene, **15**. 431.
S. Mountain, silver mine at, **1**. 959.
S——hope, Dr., charges against, **2**. 922.
S——s, ——, opposes Regulators and defends Tryon, **10**. 1024-1025.
Saba, reduced, **16**. 478.
Sabbath breakers, 23. 460, 461.
prosecuted, **2**. 365, 404-405, 411.
Sabine, Lorenzo, quoted on Tryon, **8**. xxxviii, xl, xli.
Sable Creek, 2. 793, 813.
Sable's I., 5. 1202.
Sabwry, Augustine, army pay, **17**. 247.
Sachett, Adj., treatment of, **12**. 523.
Sacks, Capt., sloop Peggy captured by Syren, **10**. 462-463.
Sackville, Lord George, 9. 1001.
hated, **10**. 454.
toast to, **9**. 1067.
Sackville Street, 5. 778; **6**. 15.
Sacrament, act for conformity in use of, **2**. 863-867, 912, 913-917.
administered, **1**. 689, 720, 722, 730; **2**. 373; **6**. 265, 266, 326, 552, 565, 710, 966, 976, 978, 980, 991, 994, 1048, 1052; **7**. 99, 115, 126, 163, 192, 264, 424, 701, 705; **8**. 553, 777; **9**. 273, 326, 1004, 1022; **10**. 496.
difficulties in administration of, **2**. 331.
first administered, **1**. 729.
profanation of, **1**. 720.
Sadbury, Jacob, land grant to, **4**. 277.
Sadler, Eleanour, quit rents of, **22**. 257.
Sadler, Wm., juror, **2**. 443, 553, 668; **25**. 185.
surety, **2**. 549.
Safety Committee, accounts of Wilmington S. Com., **10**. 436.
charged with lying, **10**. 45.
circular to on public affairs, **10**. 51-60.
extent of, **10**. v.
government by, **9**. xxxv, xxxvi.
Martin on and answer, **10**. 480.
organization of by districts, counties and towns, **10**. 208, 209, 210, 212-215.
powers, **10**. 370.
proceedings in Bladen, **10**. 24, 27, 112, 160, 186; in Brunswick, **10**. 24, 27, 159, 317; in Chowan Co., **9**. 1133-1134, 1141-1143; **10**. 847; in Craven Co., **9**. 1116, 1143-1144, 1154, 1155, 1237; **10**. 14, 15; in Cumberland, **10**. 186; in Edenton, **9**. 1134-1135, 1236; **10**. 670-671; in Halifax Co., **9**. 1101-1102; **10**. 337; in Mecklenburg, **10**. 186; in Newbern, **10**. 105, 115-116, 137-138*a*, 139-140, 152, 158, 233, 234, 271, 417; in Newbern district, **10**. 414-417, 423, 444-445, 451, 456-457, 459-465, 472; in Northampton, **10**. 140; in Onslow Co., **9**. 1237; **10**. 112, 355-356; in Orange Co., **10**. 785-786; in Pitt Co., **9**. 1075, 1079, 1080-1081, 1088, 1095, 1100, 1126, 1154, 1171, 1240, 1250, 1266, 1281; **10**. 14-15, 37-38, 64-65, 87, 99-100, 121-122, 221-222, 243-244, 255-256, 261, 295-296, 321, 346-347, 422-423, 451, 494, 499, 618, 670; in Rowan Co., **9**. 1072-1075, 1079-1080; **10**. 9-11, 83-84, 92-93, 134-137, 186, 252-254, 279-282, 309-313, 316-320, 432-435, 592-594, 609, 610, 667, 730, 760; in Surry Co., S. C., **10**. 228-230, 251, 354-255, 356; in Tryon Co., **10**. 88-89, 120, 161-164, 247, 296-298, 423-424, 440, 609-610, 661; in Wilmington, **9**. 1088-1091, 1095, 1098-1100, 1101, 1103-1104, 1107-1113, 1118-1119,

1120, 1122, 1126, 1127-1129, 1135-1136, 1143, 1149-1154, 1166, 1168, 1170-1171, 1185-1186, 1222, 1238, 1265-1266; **10**. 12, 15, 25-29, 50, 64-65, 68-69, 72-74, 87, 89, 91-92, 93, 112-115, 121, 124, 141, 143, 151, 157-158, 158-161, 220, 231, 234, 235, 262, 263-264, 279, 282-283, 298-299, 304-305, 317, 328, 331-332, 334-337, 345, 348, 358, 363, 388-390, 393-394, 400, 405, 410-412, 418-420, 421-422, 431-432, 435-439; in Wilmington District, **10**. 24-29, 142.
work of, **9**. iii.
Saffenger, Jno., witness to treaty, **18**. 515.
Safora Indians, report on, **22**. 313.
Sage's, **15**. 380.
Sage's, Mr., on post route, **7**. 149, 413, 454.
Saguntines, example of cited, **13**. 443.
Sailly, M. de, on Dr. Coxe, **1**. 529.
Sailor, Geo., army rank, **16**. 1164.
Sailors, act for funds for relief of, **25**. 56-7, 81-2.
liberated, **16**. 911-912.
trusting, **23**. 237.
Sains, Barney, prisoner, **15**. 169.
Sainsbury, W. Noel, copies records for N. C., **11**. iii.
death of, **11**. v.
employed to collect N. C. colonial records, **1**. vi-vii.
makes second search for N. C. material, **11**. v.
notes by, **1**. 253, 322; **2**. 350; **3**. 498; **4**. 534, 797; **6**. 565; **11**. 79, 144, 228; on material on Carthagena expedition, **11**. 42, 44.
Sainsbury's snuff, **17**. 156.
Saint, Thos., petition ment'd, **13**. 734o.
St. Alban, ——, signs revocation of Heath patent, **1**. 43.
St. Albans (parole), **8**. 596.
St. Albans Street, **2**. 273.
St. Andrew's Parish, **3**. 35; **23**. 187.
act to create, **25**. 213, 298, 304; to elect vestry, **23**. 150.
bill to elect vestry, **4**. 539, 540, 542, 546, 549, 559, 565, 566, 567, 568, 572.
report on, **7**. 541.
service in, **7**. 701.
St. Andrew's Parish, Eng., **4**. 656.
St. Andrews Parish, Middlesex, **11**. 90.
St. Anna, captured, **13**. 97.
St. Anthony's Cape, Cuba, **9**. 319.
St. Asaph, Bishop of, **18**. 574.
toast to, **9**. 1067.
St. Asaph, Ky., members of Legislature, **9**. 1267.
St. Asaph's District, Orange Co., taxpayers in, **26**. 1302-1306.
St. Augustine, works of, **2**. 583, 584.
St. Augustine, Fla., **2**. 421, 423, 763, 764, 846, 847, 904; **5**. 360; **6**. 784, 785, 967; **7**. 112, 232; **9**. 1118; **10**. 117, 329, 344, 348, 392, 607, 763, 768, 771; **11**. 185, 195; **13**. 94, 96, 97, 98, 287, 397, 454, 482; **15**. 253, 255, 262; **17**. 151, 156; **22**. 186, 231, 232, 268, 758.
Amer. prisoners in, **15**. 281, 391-396; **19**. 962.
attack on coast from, **4**. 922.
attacked by S. C., **1**. 664.
British fleet to, **13**. 330.
English prisoners at, **1**. 207.
illegal trade with, **5**. xliv; **6**. 1021.
N. C. invaded from, **4**. xi.
N. C. troops in expedition against, **4**. x.
pirates at, **13**. 271.
privateers fitted out at, **3**. 11; **13**. 176, 178, 186.
proposals to attack, **3**. 9.
sixtieth regt. ordered to, **15**. 317.
slaves stolen from, **3**. 362.
S. C. exposed to, **1**. 547.
Spaniards at, **2**. 177; helps Yemassees, **2**. 197.
Spanish prisoners sent to, **6**. 1106, 1107, 1176-1177, 1179.
threatened by Howe, **13**. 68.
threatened invasion from, **4**. 272.
threatens Georgia, **6**. 618; and Southern States, **13**. 305.
to be attacked, **14**. 781.
troops sent to against British, **11**. 833, 834.
unfortunate expedition against, and its true design, **2**. 904-905, 910, 912.
St. Barnabas Parish, act to create, **23**. 503-4.
incumbent, **8**. 222.
report on, **7**. 541.
visited, **6**. 711.
St. Bartholomew massacre, **2**. 763.
St. Bartholomew's Parish, **9**. 673, 674.
act to create, **23**. 827-31, 975.
bill to erect, **8**. 353, 367, 384, 402, 430, 478; **9**. 109, 113, 149, 153, 163; to explain act to erect, **9**. 714, 725, 751, 752, 774, 775, 842, 847, 851,

861, 894, 896, 906, 908, 910, 911, 927, 1013.
St. Caroline, 4. 12.
St. Christopher's, 5. 858; **7.** vii, 175, 176; **11.** 71; **16.** 546.
government, **1.** 225.
imports from, **2.** 156.
letter from quoted, **13.** 354, 355.
prize from, **15.** 69.
See also St. Kitts.
St. Clair (Sinclair, Sant Clear), Maj. Gen. Arthur, 16. 227, 236, 243, 551.
commands Va. troops, **19.** 883, 884.
court martialed, **12.** 542; **13.** 244.
expected, **16.** 474.
in C. C., **18.** 552, 640, 641, 709, 726, 742, 754.
movements, **15.** 663.
president of C. C., **20.** 609, 718.
to Caswell on violation of Br. treaty, **20.** 668-673.
St. Clair, Duncan, loyalist, **10.** 600.
St. Clair, Sir John, 5. 367, 369, 370, 371, 419, 422.
wounded, **5.** 431.
St. Colomb Parish, bill to erect, **4.** 979, 980, 986, 989, 992, 993, 994, 995.
St. Croix, 1. 955; **5.** 463; **10.** 821, 835; **13.** 95, 96, 97, 454; **15.** 70; **22.** 624.
brig from, **22.** 593.
trade with, **5.** xlii; **6.** 611; **11.** 634; **14.** 592.
St. Croix River, and U. S. boundary, **16.** 749, 750; **17.** 5, 6.
St. David's District, Caswell Co., 25. 106.
taxpayers in, **26.** 1260-1262.
St. David's Parish, act to create, **23.** 399, 447, 470; **25.** 267-8, 298-304.
bill for, **5.** 185, 186, 188, 193, 194, 199, 201, 203, 204, 206, 208, 209.
report on, **7.** 540.
St. Dennis Parish, S. C., French church in, **3.** 391.
services in French, **3.** 529.
St. Domingo (Santo Domingo), 5. 640; **15.** 255.
danger of attack on S. C. from, **5.** xxviii, 751.
trade with, **13.** 58.
St. Elvy, Peter, witness, **6.** 20.
St. Enoch's Lutheran Church, organized, **8.** 794.
St. Eustatia, 11. 406; **13.** 95, 354; **14.** 335, 689; **15.** 339.
arms brought from, **15.** 337, 338; **18.** 822-823, 825.
imports from, **10.** 510.
trade with, **13.** 889, 979; **15.** 70, 71.
St. Eustatius, reduced, **16.** 478.
St. Gabriel's Parish, Duplin Co., **6.** 238, 999, 1020.
act to create, **23.** 342-343, 445-7; **25.** 246, 247, 271, 298, 304; to sell glebe in, **23.** 852.
bill to enable vestry to sell glebe, **8.** 291, 293, 294, 296, 314, 315, 320, 328, 332-333, 334, 428, 429, 522; **9.** 110, 111, 112, 134, 151, 155, 157, 159, 160, 175, 221, 253.
incumbent, **8.** 222.
report on, **7.** 540.
work of Briggs in, **8.** 63.
St. George, Capt., 11. 658.
St. George, George, voter, **15.** 238.
St. George Parish (Hyde Co.), report on, **7.** 541.
St. George's Parish (Anson), act to create, **25.** 298-304.
report on, **7.** 540.
St. George's Parish (Northampton), **7.** 424; **9.** 20, 21, 1003; **23.** 187, 545.
act to create, **23.** 343-344, 445-7, 498-500; **25.** 298-304.
bill to erect, **4.** 979, 1002, 1013, 1054, 1056, 1057, 1064.
churches in, **6.** 980.
incumbent, **8.** 222.
part of N. W. parish added to, **23.** 504.
report on, **7.** 457, 541.
Taylor on his work in, **9.** 325-327.
St. Helena Island, Br. on, **14.** 324.
St. Helens, Indians friendly to English, **1.** 208-209.
St. James, 2. 58, 174, 176, 189, 192, 680, 732; **5.** 778; **8.** 593, 602, 632, 633; **18.** 549.
proprietors meet at, **2.** 306-307.
St. James Church, act to finish, **23.** 535-7.
bill to finish, **6.** 90, 91, 95, 103-104, 107, 108, 109, 114; to repair, **18.** 211, 398; **20.** 530; **21.** 55, 76, 87.
pictures of from Spanish vessels, **22.** iv.
St. James' Court, 3. 74, 76, 79, 90, 117, 119, 120, 414, 474; **4.** 22, 162, 168, 253, 422, 620, 958; **5.** 16, 17, 114, 115, 116, 152, 563, 616, 964; **6.** 7, 15, 318, 319, 522, 532, 545, 558, 565, 591, 592, 697, 699, 707, 723, 757, 1015, 1044; **7.** 104, 137, 193, 199,

436, 507, 523, 532, 533, 676, 783, 873, 874; **8**. 53, 161, 258, 512, 513, 601, 616; **9**. 235, 264, 284, 285, 287, 289, 295, 303, 632, 665, 666, 667, 1020, 1122; **11**. 7, 8, 9, 18, 34, 41, 74, 75, 101, 109, 117, 126, 127, 134, 139, 142, 143, 144, 145, 146, 153, 154, 155, 209, 210, 211, 212, 214, 215, 216, 220, 228, 230, 232, 233, 234, 236, 239, 240, 242, 243, 245, 254; **16**. 811, 837, 862; **20**. 649.

St. James District, Caswell Co., 25. 106.
taxpayers in, **26**. 1255-1256.

St. James Lutheran Church, history, **8**. 779-780.

St. James Parish, Cape Fear, **4**. 11, 606, 607; **5**. xxiv; **6**. 232, 554, 555, 729, 731; **9**. xliv; **23**. 119, 187, 457; **25**. 257.
act for church in, **23**. 146-9, 368, 475, 502; **25**. 243-4, 263, 348-9, 391-2.
act to create, **25**. 298-304.
and Rev. Mr. Smith, **6**. 58, 59.
bill for church in, **4**. 1260, 1262, 1263, 1265, 1273, 1280, 1281, 1284, 1286, 1288, 1289, 1299; for tax, **7**. 601, 635, 636, 639; to confirm vestry, **7**. 307, 319, 373-374, 376, 384, 396, 398; to dissolve, **6**. 1230, 1279, 1280, 1308; to divide, **5**. 879, 881, 907, 908, 911-912; to establish church, **4**. 540, 541, 542, 566, 567, 568, 572; **9**. 114, 116, 165, 170, 174.
character of vestry, **6**. 556.
incumbent, **8**. 221, 222.
Macdowell recommended, **6**. 238, 239.
opposition to act to establish church, **4**. 611, 612.
report on, **7**. 447, 541.
Tryon to on induction of Wills, **8**. 219-220.
Wills to be inducted into, **8**. 174, 199.

St. James Parish, Santee, S. C., **14**. 665.

St. James Parish, Westminster, **6**. 19, 21, 310.

St. James's Park, 3. iv.

St. Jerome River, 5. 385.
French fort on, **5**. 222; **6**. 617.

St. John, ——, causes trouble, **3**. 393-394.

St. John, James, commission as land surveyor and quit rent inspector, **11**. 1-3.
makes Montgomery deputy inspector, **3**. 428.

St. John de Luz, a free port, **17**. 71.
fees in port of, **17**. 619, 621, 622.

St. John Parish, 3. 34.

St. John the Evangelist, Westminster Parish, **6**. 19.

St. Johns, 16. 902.

St. Johns, to be limit of whites, **11**. 185.

St. Johns (St. John), N. B., 22. 234, 235.
instructions to gov., **11**. 242.
may be admitted to cont. assn., **10**. 178.
no vessel to load for, **9**. 1281(?)
to be attacked, **5**. 407.

St. Johns, N. S., 5. 393.

St. Johns Church (G. R.), history, **8**. 750, 751-752, 756.

St. John's Island, 1. 116.
captured, **5**. 1094.

St. Johns Lutheran Church, Cabarrus, history, **8**. 759, 760-761, 770, 771, 772, 776, 779, 781, 786, 787, 795, 796.

St. John's Lutheran Church, Charleston, S. C., **8**. 771.

St. John's Lutheran Church, Lincoln Co., **8**. 776.

St. Johns Lutheran Church, Mecklenburg, history, **8**. 763, 764.

St. Johns Lutheran Church, Salisbury, calls Storch, **8**. 766, 769.
history, **8**. 758-9, 761, 762, 763, 764, 774, 775, 781, 782, 783, 787, 792.
quarrel with Episcopalians over church building, **8**. 782-785.

St. Johns Parish, 6. 980, 991; **7**. 242, 750; **9**. 6; **23**. 187, 297.
act to collect taxes in, **23**. 469; **25**. 342-3; to confirm vestry, **23**. 657; to create, **23**. 120, 249-250, 272, 285, 338, 445-7; to erect into new county, **23**. 622-7.
bill for tax on, **5**. 735; to appropriate money for use of, **7**. 310, 322, 323, 324, 327, 339, 353, 377, 400, 403, 405, 406, 421; to collect taxes in, **5**. 668, 669, 670, 671, 686, 708, 709, 712, 735; to confirm vestry, **6**. 1232-1233, 1238, 1240, 1252, 1263, 1269, 1284, 1287, 1293, 1295, 1297, 1298; **7**. 93; to consolidate, **5**. 670, 671, 672, 673, 686, 707, 708, 709, 713, 715, 735; to divide, **5**. 1026, 1027, 1029, 1030, 1036, 1071, 1072, 1073, 1074, 1077, 1078, 1079; **6**. 644, 647, 648, 649, 660, 672, 675, 676, 677, 678, 684, 750, 815, 819,

824, 847, 855, 912, 914, 921, 937, 942, 943, 946; to make county from, **6**. 1096, 1098, 1106, 1119, 1145, 1157-1158, 1162, 1163, 1178, 1179, 1190, 1191; to repeal part of act erecting, **4**. 859, 860, 862; to sell glebe of, **18**. 37, 91, 208, 270, 291, 327, 378, 436, 440.
division requested, **6**. 152.
St. John's Parish (Beaufort), **9**. 244.
St. John's Parish (Bedford Co.), bill to erect, **8**. 137.
St. John's Parish (Bute), **7**. 704; **8**. 551.
act to appropriate money to, **23**. 685-6; to sell glebe lands, **24**. 872.
incumbent, **8**. 221, 222.
report on, **7**. 457, 540.
St. John's Parish (Carteret), **2**. 544; **6**. 326, 565, 1048 (?); **23**. 806, 807; **25**. 208.
act to create, **25**. 298-304.
report on, **7**. 540.
visited, **6**. 265-266.
St. John's Parish (near Craven Co.), **7**. 99.
St. John's Parish (Edgecombe), **23**. 472.
St. John's Parish (England), **4**. 656; **11**. 89.
St. John's Parish (Granville), **23**. 547.
act to erect, **25**. 236, 237, 298-304; to divide, **23**. 497-8.
St. John's Parish (Onslow Co.), **6**. 238; **23**. 187.
act to create, **25**. 298-304.
report on, **7**. 541.
visited, **6**. 729.
St. John's Parish (Pasq.), act to consolidate, **23**. 471-2; to create, **25**. 298-304; to elect vestry in, **23**. 853.
bill to elect vestry, **9**, 114, 116, 120, 123, 135, 164, 169, 173, 176, 185, 187, 194, 196, 222, 253.
incumbent, **8**. 222.
report on, **7**. 457, 541.
St. John's Parish (Surry), bill to erect, **8**. 380.
St. John's Parish (Tyrrell), **9**. 174.
St. John's Parish, S. C., **15**. 29.
St. John's River, **5**. 463, 464, 465.
lands on added to Ga., **6**. 1024.
St. Johns River, N. B., **5**. 221.
St. Joseph River, **5**. 464.
St. Jude's Parish, **22**, 508; **23**. 906, 907.
St. Jude's Parish, act to create, **23**. 844-6, 973; act to elect vestry, **23**. 857.
bill to erect, **8**. 353, 360, 379, 380, 384, 403, 463, 464, 466, 467, 479; **9**. 847, 850, 853, 861, 905, 908, 909, 911, 916, 917, 928, 1013.
St. Kitts, **5**. 598; **13**. 355; **15**. 70, 71, 121, 338.
battle at, **1**. 159.
exports from Ireland landed in, **5**. 646.
French capture, **15**. 537.
papers in, **14**. 592.
taken, **13**. 287.
See also St. Christopher's.
St. Lawrence, Patrick, **24**. 869.
petition, **19**. 582, 584, 617-618, 622, 934.
town coms'r, **24**. 882.
St. Lawrence District, Caswell Co., **25**. 106.
taxpayers in, **26**. 1251-1254.
St. Lawrence Gulf, fishing in allowed, **16**. 750-751; **17**. 6.
St. Lawrence River, **5**. 463, 464, 466; **10**. 609; **13**. 149.
and U. S. boundary, **16**. 749, 750; **17**. 5, 6.
navigation of, **20**. 745.
St. Lazaro, **11**. 44.
St. Luke's Church, **8**. 746.
St. Luke's District, Caswell Co., **25**. 106.
taxpayers in, **26**. 1256-1258.
St. Luke's Parish, **22**. 504; **23**. 810, 906, 907.
act to create, **23**. 390, 446-7, 470; **25**. 298-304; to divide, **23**. 439.
ask for minister, **8**. 404-405, 465.
bill to erect, **5**. 44, 46, 47, 48-49, 50, 53, 59-60, 63, 68, 69, 71, 76.
complaint from, **9**. 267, 268.
Drage's report on church affairs in, **8**. 502-507.
extracts from records, **8**. 630-633.
incumbent, **8**. 222.
letter on Drage, **8**. 155.
occupied by Drage, **8**. 179.
opposition to establishment of church in, **8**. 217-218, 221.
petition of Drage, **9**. 507, 520.
report on, **7**. 541.
struggle against dissenters in, **8**. 202-210.
Tryon to on Drage, **8**. 150-151.
vestry expels Drage, **9**. 622.

St. Margaret's Parish, act to create, **23.** 819-23.
bill to elect vestry in, **9.** 111, 114, 120, 158, 159, 164, 169, 184; to erect, **8.** 299, 336, 341, 347, 386, 401, 429.
vestry neglects to qualify, **23.** 856.
St. Marks, fort, Creeks useful to, **7.** 235.
St. Marks District, Orange County, taxpayers in, **26.** 1300-2.
St. Mark's Lutheran Church, Charlotte, **8.** 794.
St. Mark's Reformed Church, 8. 738, 739.
St. Martin Ludgate Parish, 6. 18, 19.
St. Martin's, reduced, **16.** 478.
St. Martin's Chapel, Currituck County, **9.** 638-640.
act for, **23.** 960-961.
St. Martin's Day, 1. 977.
St. Martin's LeGrand, London, **6.** 563.
St. Martin's Parish, 3. 40; **23.** 187, 770, 771, 772.
act to create, **23.** 119-120, 976; **25.** 298-304; on vestry, **23.** 804-5.
bill to elect vestry in, **8.** 298, 299, 319, 327, 332, 336, 337, 338, 343, 429.
report on, **7.** 540.
visited, **6.** 729.
St. Martin's Parish, Bladen Co., **6.** 238; **7.** 66.
St. Martin's Parish (Mecklenburg Co.), report on, **7.** 541.
St. Martin's Road, Amer. vessels capt'd in, **15.** 70, 71.
St. Martin's salt, 6. 1030.
St. Mary's, 14. 310; **17.** 521.
St. Mary's, Fla., 13. 333.
St. Mary's, Md., ment'd, **1.** 139, 140, 151.
St. Mary's Dist., Orange Co., **26.** 1295-1299.
St. Mary's Parish, 5. 1027, 1086; **6.** 1051; **7.** 265; **23.** 496, 595.
act favoring Pope, **23.** 501; **25.** 389-390; to divide, **23.** 967-968.
bill to collect taxes in, **5.** 874, 876, 896, 897, 901, 902, 907; to divide, **9.** 720, 725, 729, 764, 765, 772, 775, 843, 850, 855, 862, 898, 900, 907, 911, 917, 928, 1012; to erect into a county, **5.** 1046, 1047, 1048, 1049, 1052, 1054, 1066, 1074, 1097.
organized, **23.** 472-474.
report on, **7.** 540.
St. Mary's Parish (Edgecombe), **9.** 326.
incumbent, **8.** 222.
St. Mary's River, and U. S. boundary, **16.** 750; **17.** 6.
St. Mathew's Parish, report on, **7.** 457, 541.
St. Mathias (Matthias) River, 1. xv, 93; **11.** 80.
boundary of Carolina, **1.** 6, 21, 44, 95, 97, 102, 418, 420; **3.** 32.
ment'd by Sanford, **1.** 134.
St. Matthew, 2. 584.
St. Matthew River, boundary of Carolina, **1.** 6.
St. Matthew's Congregation, organized, **8.** 795.
St. Matthew's Lutheran Church, organized, **8.** 794, 795.
St. Matthew's Parish, 7. 519; **23.** 490.
act to erect, **23.** 383-384, 390-391, 446-7, 470-1; **25.** 256, 271, 298-304.
bill to erect, **4.** 1322, 1323, 1324, 1329, 1336, 1337, 1338, 1339, 1348; to amend act for, **5.** 41, 42, 43, 45, 46, 53, 56, 57, 59, 60, 63, 65, 66, 76.
incumbent, **8.** 221, 222.
vestry made void, **23.** 830; to be elected, **23.** 856.
St. Michael, the archangel, **11.** 67; **25.** 508.
St. Michael's Lutheran Church, history, **8.** 779, 780-781.
St. Michael's Lutheran Church, S. C., 8. 778.
St. Michael's Parish, 10. 63; **23.** 629.
act to create, **23.** 531-4.
bill to erect, **6.** 456, 458, 468, 486, 487, 488, 492, 495, 496, 511.
established, **6.** 562.
report on, **7.** 541.
to aid Boston, **9.** 1081.
St. Michael's Town, Barbadoes, **1.** 157.
St. Patrick's Parish, 23. 495, 502.
act for tax, **23.** 470; **25.** 344; to create, **23.** 248-9; **25.** 298-304; to divide, **23.** 469-70; **25.** 344.
bill for tax on, **5.** 677, 678, 679, 687, 724, 725, 726, 727, 728, 735; to divide, **5.** 669, 670, 671, 672, 686, 704, 706, 707, 710, 713, 735.
complains against Miller, **7.** 273, 274.
report on, **7.** 457, 540.
incumbent, **8.** 222.
to be in Dobbs County, **5.** 1064.
St. Patrick's Parish (Johnston County), **23.** 367.

St. Paul, **2.** 76, 584; **3.** 530; **9.** 1247.
quoted, **1.** xxxiv.
St. Paul's Church (Catawba Ch.), history, **8.** 750, 751, 752, 753, 755.
St. Paul's Church (Edenton), act for, **25.** 193.
St. Paul's Church (Iredell), organized, **8.** 795.
St. Paul's Church (near Salisbury), **8.** 746.
St. Paul's Lutheran Church, **8.** 776.
organized, **8.** 794.
St. Paul's Lutheran Church (Orange), new church in, **8.** 795.
St. Paul's Parish, **6.** 310; **23.** 187.
act to create, **25.** 298-304; to finish church in, **23.** 466, 480; **25.** 359-60.
employs Hall, **4.** 793.
extracts from vestry books, **10.** 847.
incumbent, **8.** 221, 222.
Nicholson's gift to, **1.** 597.
plate for, **2.** 133-134.
records of, **1.** 543-545, 558-561, 568-570, 571, 596-598, 599-600, 615-617, 629-630, 674, 678-681, 683-685, 701-702, 829-831, 833-834; **2.** 10-12, 118-121, 150-151; **10.** 847.
recommends Earle, **6.** 241.
report on, **7.** 540.
vestry declares independence, **10.** 612.
St. Paul's Parish, S. C., **4.** 608; **15.** 392; **16.** 497.
report from, **4.** 608-609, 622.
St. Peters Church, history, **8.** 744.
St. Peter's Church (Phila.), **7.** 260.
St. Peter's Lutheran Church, **8.** 759.
St. Peter's Lutheran Church, S. C., **8.** 776.
St. Peter's Parish, **23.** 187.
act to create, **25.** 298-304; to consolidate, **23.** 471-2.
bill to consolidate, **5.** 670, 671, 672, 673, 686, 707, 708, 713, 715, 735.
St. Philip's (Phillips) Church, **23.** 241, 242.
act to finish, **23.** 535-7.
bill to finish, **6.** 90, 91, 95, 103-104, 107, 108, 109, 114.
dedicated, **7.** 789.
incorporated, **2.** 868-869.
recommends Macdowell, **6.** 232-233, 238.
St. Philip's (Phillips) Parish, **4.** 606, 607, 789; **6.** 224, 731; **8.** 13; **23.** 187, 241, 243, 448, 685.
bill to make county out of, **6.** 455, 462, 489, 492, 501, 502, 507, 644, 675, 678, 846-847, 859, 865, 911, 926, 927, 936, 942, 1096, 1098, 1106, 1119, 1145, 1157-1158, 1162, 1163, 1178, 1179, 1190, 1191, 1192.
establish, **2.** 868.
incumbent, **8.** 221, 222.
report on, **7.** 457, 540.
size, **6.** 729.
St. Philip's Parish, act to divide, **23.** 622-7.
vestry for, **23.** 191.
St. Phillip's Parish, act for church in, **23.** 368, 502; **25.** 244-5, 391-2; to create, **25.** 298-304.
St. Pierre, Martinique, **17.** 561; **22.** 785.
St. Pusses, captured, **6.** 708.
St. Romania Cape, **1.** 138.
name changed, **1.** 137.
See also Romania Cape.
St. Saphorin, M. de, **17.** 273, 435, 484.
to Adams on consecration of ministers, **17.** 40-41.
St. Stephen's, **10.** 157; **14.** 665.
St. Stephen's Lutheran Church, **8.** 794.
St. Stephen's Parish, **23.** 495, 502.
act for tax, **23.** 470; **25.** 344; for vestry, **23.** 749; to create, **23.** 469-70.
bill for tax on, **5.** 677, 678, 679, 687, 724, 725, 726, 727, 728, 735; to elect vestry, **7.** 565, 592, 594, 595, 599, 623, 624, 632, 633, 642, 668; to erect, **9.** 162; to make a county out of, **5.** 1019, 1021, 1022, 1023, 1036, 1048, 1050, 1052, 1058, 1059, 1060, 1064, 1065, 1097.
incumbent, **8.** 220-221, 222.
report on, **7.** 541.
vestry dissolved, **23.** 822.
St. Stephen's Parish, S. C., **16.** 283.
St. Tames, Lords of, **10.** 157.
St. Thomas (Island), **2.** 322, 702; **11.** 719; **13.** 95; **19.** 886.
exports to, **5.** 645.
the Joseph sails to, **15.** 667.
Teach goes to, **2.** 347.
trade with, **5.** 319; to S. C., **1.** 545.
St. Thomas, vessel named, **1.** 323.
St. Thomas' District, Orange Co., taxpayers in, **26.** 1306-9.
St. Thomas' Parish (Bath), **3.** 529, 624, 625; **6.** 316, 564, 977; **9.** 636; **23.** 6, 7, 187.
act to create, **25.** 298-304; to protect

library, **23**. 73-79, 333; **25**. 161, 192.
baptisms in, **7**. 263.
established, **2**. 208.
library, **2**. 119-120; **3**. 187.
petition to S. P. G. for minister, **4**. 796-797.
population of, **6**. 562.
report on, **7**. 457, 540, 541.
vestrymen of, **2**. 209.
work of Lapierre, **3**. 391.
St. Thomas' Parish (Beaufort Co.), **25**. 474.
bill to appoint vestry, **7**. 596, 626, 628, 639.
incumbent, **8**. 222.
St. Thomas's Parish (Tryon), erected, **23**. 770, 771, 772.
St. Valeries, **1**. 975, 976.
St. Vincent (St. Vincents, Vincennes), **10**. 153; **20**. 741, 746.
British post at, **16**. 891; repulses at, **15**. 537.
goods at seized, **22**. 677.
St. Vincent, the, taken by French, **14**. 335.
St. Vincent, port, **20**. 655.
St. Vincent Cape, **17**. 480.
Saintsing, Charles, petition considered, **17**. 722.
Salaries, act on, **23**. 542; **24**. 35-6; **25**. 120-1, 492; for C. J. and Atty Gen., **23**. 617, 765-6, 818-9; **25**. 435, 436; for judges, **23**. 688-703; **25**. 352-3, 435-6; for public printer, **24**. 748-9; on payment of, **23**. 494; repealed, **13**. 472; to fix, **13**. 357, 358; **24**. 129-30, 163-4, 188, 259, 326-7, 406-7, 444-5, 501-2, 668-9, 709, 796-8, 957; to raise money for, **23**. 402; **25**. 309-10.
arrears discussed, **4**. 1148-1149; to be paid, **6**. 76.
asked for court clerk, **8**. 82.
bill for in ct. act, **9**. 836, 838, 842, 844, 845-846, 849-850, 853-854, 856-857, 860, 862-863, 870-871, 877, 879-880, 881, 882, 885, 890-893, 894, 896, 901-903, 912-913, 915-916, 919, 921, 926, 927, 928, 929, 939-940, 942, 945, 946-947, 962-967, 969-980, 987-989, 1007, 1008, 1059, 1147-1149, 1251-1254; **10**. 377-378; for ascertaining s. of state officers, **12**. 75, 81, 82, 83, 112; for payment of, **5**. 268, 271, 272, 276, 277, 279, 288, 290, 293, 294, 304-305, 306, 310; to gov'r, &c., **19**. 518, 521, 527; on, **13**. 747, 757, 760, 793, 800, 801, 807, 811-813, 814, 817, 852, 876, 938, 955; **17**. 664, 670, 683, 711, 746, 748, 750, 765, 780, 788, 789, 792, 793; **20**. 321, 592, 593; on allowance of, **21**. 182, 183, 184; to allow, **17**. 828, 836, 837, 855, 916, 918, 925, 929, 934, 936; **19**. 179, 183, 225, 301, 302, 308, 349, 363; to allow to officers, **19**. 417, 420, 421, 431-432, 464, 748, 755, 796, 827-828; to ascertain, **16**. 52, 55, 85, 88, 90, 92, 95, 120, 124, 152-153; **19**. 26, 55; to fix, **12**. 176, 182, 185, 199, 204, 210-211, 241, 250-251, 253-254, 256, 257-258, 346, 349, 355, 374, 385, 404, 433, 434, 440-442, 592, 600, 601, 613, 653, 703, 705, 716, 730, 732, 754, 776, 786, 793; to provide for, **6**. 645, 648, 651, 659, 670, 675-676, 680, 683-684, 685, 750, 1100, 1101, 1104, 1108, 1125, 1144, 1165, 1168, 1169, 1174, 1182, 1199; for judges, **7**. 897, 901, 906, 907, 912, 921, 937, 940, 946, 952, 955, 960, 961, 967, 977; **9**. 108, 112, 117, 148, 149, 156, 159, 179, 185, 407, 410, 413, 418, 420, 423, 424, 427, 428, 435-437, 442, 444, 446, 494, 514, 515-516, 519, 522, 524-525, 526, 529-530, 532, 533, 534, 535, 539, 540, 545, 550-551, 583, 670, 675-676, 677-678, 680-682, 685-687, 707, 708, 709, 710-711, 713, 715, 721-722, 729-733, 744, 748, 749, 752, 763, 768-770, 778-782, 786-788, 790-791-798, 812, 813-814, 816, 817, 819, 820-823, 830-831; to repeal act on, **12**. 831, 833, 853; **19**. 555, 565, 567, 582-583.
Burrington's unpaid, **4**. 164.
committee to consider and report on. **13**. 547, 604-605, 618, 649, 684, 688, 689, 690, 723-724, 732, 734-734*a*, 740, 741.
Council to King on need of, **5**. 760-761, 763.
difficulties of discussed, **5**. 644-645.
Dobbs on arrears of, **5**. 77-78.
federal should be cut, **21**. 962, 1029, 1032.
for council discussed, **8**. 211; Tryon on, **7**. 698-699.
in arrears, **4**. 792, 798, 844; **5**. 16.
increased, **4**. 136.
instructions on, **5**. 1124.
Johnston's not paid, **4**. 251; Mrs.

Johnston petitions for payment of, **5**. 21-23.
list proposed by Johnston, **5**. 20.
memorial of council for, **9**. 375-376.
of atty gen., **7**. 427.
of chief justice discussed, **9**. 992-993.
of clergy, **6**. xxxii, 966, 1027; **7**. 99.
of gov. discussed, **6**. 1038; of S. C., **2**. 196.
of judges, **6**. 851, 916, 1049, 1054; **19**. 631; to be paid, **6**. 657, 658, 686, 691.
of members of assembly, **2**. 622-624; **5**. 212.
of officers in N. C., **2**. 170, 726, 728; **10**. 1013; report on, **7**. 447-448.
of receiver general, **6**. 756, 757.
of U. S. officials cut, **20**. 652.
provided for, **10**. 1010; by Prov. Cong., **23**. 982, 986; for officers in Franklin, **22**. 667.
recommended for council, **5**. 787-788.
regulation of, **22**. 22, 24.
report on, **6**. 620-622; **24**. 648, 796-8; on arrears due, **9**. 653-655.
settlement of arrears, **4**. 1097.
should be paid out of quit rents, **3**. 294-295.
to be in proc. money, **5**. 96.
to be paid once a year, **2**. 34.
to be provided for officers, **3**. 98-99.
to be regulated, **3**. 103.
Sale (Sales), John, accounts of, &c., **2**. 507, 510, 512, 513, 548.
fined for having bastard, **2**. 478-479.
Sale, Nathaniel, receiver general, **1**. 705.
Sale, Thos., in militia, **22**. 377.
Salem, 5. 1154, 1155, 1156, 1157, 1162, 1163; **8**. 593, 730, 743, 767, 776, 782; **9**. 48; **16**. 18, 27, 47, 52, 57, 153, 181, 239, 240, 280, 282, 492, 493, 510, 524; **17**. viii, 858, 859, 954, 957; **18**. 497; **19**. 7, 19, 32, 109, 396, 397, 398, 877, 960, 969, 990; **21**. 269, 272, 415, 417, 435; **22**. 100, 123; **24**. 466.
aids new immigrants, **5**. 1151.
asks relief from oath, **5**. 1153-1154.
assembly to meet in, **5**. 1155; **19**. 185, 189, 311, 312, 578.
built, **5**. 1149, 1150.
death of last founder, **8**. 793.
description of town, &c., **5**. 1159-1161.
entertains Pulaski's troops, **5**. 1154.
extracts from records of Moravian Church, **4**. 1311-1314; **5**. 1.
new church consecrated, **5**. 1157.
fever in, **5**. 1157.
location, **5**. 1148.
ministers of, **5**. 1156, 1157.
nom. as place for assem., **20**. 207, 388; **21**. 215, 585, 822, 993.
population, **5**. 1158-1159.
settlement of, **5**. 1151, 1152, 1153.
sends missionaries to Ga., **5**. 1153.
smallpox in, **5**. 1154.
tavern burned, &c., **5**. 1156.
translation from archives in, **5**. 1.
Salem, Mass., 9. xxxviii, 829, 1116; **10**. 892.
goods sent to from Wilmington, **9**. 1018.
Salem, N. E., 13. 98.
Salem, Ohio, reserved for Indians, **17**. 457.
Salem Baptist Asso'n, history, **5**. 1185, 1192.
Salem Church (Lincoln), history, **8**. 754.
Salem Landing, inspection at, **25**. 313.
Salenger, Jas., in militia, **22**. 326.
Salerstead, Erick, petition, **21**. 259(?), 302.
Salerstead, Jane, petition, **21**. 302.
Salesbury, Andrew, asks for lapsed land, **2**. 239.
Salesbury, Pettigrew, juror, **4**. 521.
Saley(?), seized, **15**. 338.
Salger, Zachy., in militia, **22**. 356.
Saliey, and Cherokee boundary, **7**. 853, 854, 855.
Salis. See Salley.
Salis, John, 5. 2, 3, 4.
Salis, John de, Sp. prisoner, **22**. 271.
Salisbury. See Salsbury.
Salisbury, Lt., 15. 300.
wounded, **17**. 992.
Salisbury, Benj., in militia, **17**. 1057.
Salisbury, Joseph, exempted, **9**. 742.
Salisbury, 5. xxvii, xxxviii, xlvii, l, 25, 348, 355, 579, 585, 651, 784, 1082; **6**. 211, 213, 214, 848, 849, 851, 853, 859, 915, 918, 929, 1017; **7**. xxii, xxv, xxx, xxxi, 26, 119, 191, 199, 200, 201, 255, 256, 426, 432, 437, 438, 444, 448, 460, 461, 462, 463, 466, 467, 500, 521, 522, 693, 713, 806, 811, 821, 822, 825, 826, 827, 831, 837, 838, 856, 927, 991, 992, 993, 997, 1003, 1007, 1008; **8**. xlviii, 49, 68, 141, 151, 163, 178, 179, 193, 208, 250, 362, 363, 422, 426, 427, 430, 432, 477, 502, 519, 533, 545, 548,

579, 583, 590, 601, 606, 609, 610, 646, 649, 711, 715, 735, 746, 747, 749, 758, 761, 763, 766, 767, 768, 769, 772, 773, 774, 775, 781, 782, 783, 784, 791, 792; **9**. xix, 91, 329, 435, 551, 558, 1073; **10**. 1, 11, 84, 93, 134, 137, 139, 243, 252, 253, 279, 305, 312, 330, 339, 348, 351, 354, 362, 392, 433, 435, 475, 566, 588, 661, 673, 674, 675, 676, 677, 678, 707, 726, 728, 732, 749, 753, 760, 792, 793, 797, 825, 827, 829, 830, 858, 887, 937, 1002; **11**. xvi, 316, 317, 320, 328, 346, 349, 351, 392, 415, 416, 455, 476, 506, 557, 566, 567, 568, 612, 740, 763; **12**. 610, 784, 786, 841, 842; **13**. ix, x, 203, 252, 276, 278, 293, 444, 486, 599; **14**. iv, vi, x, xii, xiii, xv, 27, 28, 29, 30, 31, 79, 165, 287, 288, 340, 386, 390, 393, 398, 403, 417, 419, 428, 434, 440, 441, 443, 446, 466, 485, 492, 500, 544, 569, 572, 580, 608, 616, 646, 678, 692, 694, 700, 703, 712, 724, 734, 736, 738, 740, 744, 756, 770, 775, 777, 779, 785, 786, 820, 833, 865, 867, 871, 872, 873, 874; **15**. vi, vii, ix, 10, 52, 73, 79, 94, 125, 132, 139, 181, 265, 278, 329, 382, 390, 406, 408, 411, 416, 435, 447, 456, 460, 463, 464, 465, 467, 473, 481, 499, 500, 501, 516, 529, 530, 532, 533, 539, 540, 541, 542, 553, 566, 567, 568, 572, 574, 577, 585, 590, 592, 599, 647, 649, 684, 690, 691; **16**. iv, vii, 12, 114, 150, 180, 183, 202, 204, 263, 266, 269, 272, 312, 318, 320, 326, 386, 403, 465, 473, 518, 521, 523, 526, 527, 548, 578, 627, 636, 639, 643, 645, 663, 684, 685, 689, 693, 694, 695, 699, 704, 710, 711, 777, 878, 967, 985; **17**. 181, 380, 682, 749, 999, 1054; **18**. 78, 110, 119, 121, 160, 203, 204, 216, 251, 312, 347, 414, 424, 497, 575; **19**. 98, 154, 160, 173, 188, 189, 245, 278, 279, 290, 347, 425, 841, 842, 849, 869, 899, 900, 901, 902, 903, 931, 958, 961, 968, 974, 976, 977, 982, 983, 984, 989, 993; **20**. 243, 263, 436, 601, 763; **21**. 101, 359, 390, 391, 416, 527, 807, 808, 809; **22**. 97, 100, 103, 104, 109, 119, 122, 124, 132, 134, 140, 141, 155, 186, 204, 212, 222, 425, 442, 533, 555, 558, 559, 575, 584, 612, 614, 748, 760, 815, 839, 842, 845, 849, 851, 853, 861, 875, 955, 959, 1046, 1048; **23**. 553, 561, 562, 691, 771, 823, 844, 870, 874; **24**. 28, 36, 50, 161, 297, 427, 450, 452, 537, 716, 749, 819, 980; **25**. 66, 108, 109.

act for academy near, **24**. 690-2, 754-6; for court, **25**. 275, 286, 437; for public buildings in, **23**. 750-2, 863, 866, 927, 971-2; **24**. 149, 240, 523, 692-4, 844-5; **25**. 12, 275, 286, 437; to regulate, **23**. 810-13; **24**. 640-4, 934-6.

bill for C. H., **9**. 120, 135, 160, 161, 170, 175, 185, 190, 222, 257; **12**. 177, 195, 196, 212, 213, 254, 346, 369, 371, 388, 391, 395, 452; **13**. 358; for jail, &c., in, **7**. 556, 557, 561, 562, 564, 577, 578, 580, 587, 588, 592, 623, 668; **8**. 423; **9**. 110, 111, 112, 115, 116, 134, 153, 155, 157, 159, 172, 175, 221, 256; for public buildings, **19**. 471, 807, 822-823; for road to, **9**. 715, 726, 728, 753, 760, 774, 776, 783; for tobacco inspection at, **18**. 40, 96, 115, 266, 275, 292, 314, 340; to alter act to repair public buildings, **18**. 54, 129, 201, 286, 294, 329, 355, 366; to amend act to regulate, **9**. 401, 418, 421, 422, 444, 446, 506, 535, 537, 542, 543, 544, 585, 586, 661; to erect C. H., **9**. 413, 416, 421, 422, 444, 526, 541, 542, 543, 544, 585, 661, 841, 843, 846, 860, 893, 896, 898, 900, 904, 927, 1014; to regulate, **8**. 93, 117, 300, 302, 340, 342, 344, 345, 349, 387, 418, 428, 429; **18**. 25, 38, 45, 254, 256, 259, 271, 275; **19**. 638, 644, 657; **20**. 163, 198, 213, 259, 264, 280, 373, 409, 444; to repair public buildings, **19**. 156, 159, 184, 274, 275, 276-277, 279, 303.

British in, **15**. 616; **22**. 533, 534; prisoners (British) removed from, **17**. 645; threaten, **15**. 99.

complaint from on impressment of supplies, **16**. 33, 36.

condition of regulation around, **8**. 533-536.

Cornwallis to move to, **15**. 282.

Council of Safety held in, **10**. 826-830.

court for, **23**. 946, 990; to be held in, **6**. 168.

covered by militia, **15**. 66.

given representation in Gen. Assem., **10**. 1007; **23**. 980.

guns at, **8**. 30.
Hepburn asks to be removed to, **10**. 793.
hospital established, **16**. iii; needed at, **14**. 756.
Indian fight near, **5**. xlvii.
iron factory to be erected near, **8**. 496.
jail broken into, **14**. 321.
loan office in, **24**. 130.
mail facilities wanted, **21**. 855, 1029, 1041.
members in assembly, **7**. 284, 342, 473; **8**. 107, 304; **9**. 480, 734, 913, 1189; **12**. 656, 817; **13**. 785, 815; **16**. 2; **17**. 265, 878; **18**. 227, 229; **19**. 234, 489, 510, 718, 760; **20**. 120; **21**. 3, 194, 872, 963.
members in conv. 1788 and 89, **22**. 4, 39.
members in Prov. Cong., **9**. 1026, 1043, 1179; **10**. 166, 501, 915, 919.
militia assembles in, **15**. vi, 65; to be drafted, **14**. 481.
nom. as place for assem., **19**. 312, 623; **20**. 198, 207, 374, 388.
North Carolina Synod held in, **8**. 773.
number of immigrants passing through, **8**. xlvi; of troops near, **15**. 252, 256, 265.
ordnance in, **7**. 246.
petition from, **19**. 13-14; denied, **10**. 182.
powder intended for, **10**. 621; **11**. 530; **13**. 618, 619, 734*a*.
prisoners in, **11**. 370; ask liberty of moving to, **10**. 753, 758; paroled to, **10**. 830-831; sent to, **13**. 837, 840, 930; **14**. 339, 450, 505, 745; to be removed from, **15**. 573, 574.
records of court held in, **22**. 501-13.
seizure of Dunn and Booth, **19**. 898-903.
settlers pass through, **7**. 248.
shoe factory to be located in, **14**. 444, 451.
stores to be removed to from Ft. Dobbs, **6**. 1198.
Sumner in, **14**. 773.
supreme court held in, **5**. 260, 1082.
time of courts, **5**. 666.
tobacco inspection in, **24**. 847-8.
tories in arrested, **14**. 870.
troops near, **14**. 867; stationed at, **10**. 243; to rendezvous in, **24**. 369, 415.
Tryon offers to pay wine license for, **7**. 128.

Salisbury Academy, act to incorporate, **24**. 690-2, 754, 756.
incorporated, **17**. 185.

Salisbury Brigade, history, **16**. v, vii.
soldiers drafted from for Cherokee campaign, **11**. 320.

Salisbury District, **6**. 1009; **7**. 444, 477, 479, 809, 838; **8**. 67, 142, 193, 227, 638; **10**. 3, 187, 193, 214, 317, 337, 440, 582, 587, 650, 662, 667, 668, 680, 925, 953, 998, 999; **12**. 268, 611, 773, 791, 798; **13**. 276, 294, 316, 363, 414, 415, 469, 643, 683, 684, 734*d*, 748, 749, 752, 763, 803, 880, 904; **14**. iv, 4, 27, 28, 136, 170, 287, 288, 291, 338, 440, 458, 472, 474, 475, 486, 492, 636, 744; **15**. 125, 151, 426, 435, 447, 449, 453, 464, 465, 495, 533, 547, 551, 592, 636, 656, 715; **16**. v, 77, 78, 86, 96, 97, 239, 270, 417, 548, 574, 704, 798; **17**. 277, 380, 646, 685, 688, 693, 711, 776, 857, 859, 920, 941, 1046; **18**. 40, 58, 77, 118, 168, 193, 265, 288, 348, 401, 448, 451, 473, 474, 523, 647, 804; **19**. 51, 63, 102, 119, 122, 123, 185, 192, 202, 228, 271, 311, 328, 364, 365, 367, 370, 540, 550, 620, 621, 623, 624, 628, 648, 650, 665, 690, 693, 694, 711, 811, 898, 910; **20**. 5, 33, 52, 60, 332, 580, 581, 590, 763; **21**. 27, 163, 173, 242, 272, 299, 301, 337, 368, 385, 390, 391, 392, 416, 513, 651, 721, 776, 807, 808, 824, 862, 865, 976, 1000, 1039, 1046, 1053, 1069, 1070; **22**. 117, 120, 167, 561, 562, 841, 845, 854, 932, 947, 949, 953, 955, 1008, 1023, 1042; **23**. 591, 592, 632, 688, 705, 771, 810, 825, 844, 845, 872, 874, 990, 991; **24**. 29, 30, 36, 48, 50, 132, 161, 233, 234, 237, 238, 273, 288, 289, 301, 452, 745, 749, 837, 874, 883, 927, 981; **25**. 1, 15, 25, 39, 64.
act for academy in, **24**. 690-2, 754-6; for court dist., **25**. 433-49; for draft in, **24**. 405; for public buildings, **23**. 750-2, 863, 866, 927, 971-2; **24**. 149, 240, 523, 692-4, 844-5; **25**. 12; for store in, **24**. 323; for tax for jail, **23**. 621-2; on jurors, **23**. 575; **25**. 422; to divide, **24**. 450-2; to put into western riding, **25**. 65-7.

allowance to be made in, **17**. 766, 767, 769.
ammunition to, **11**. 334.
Armstrong army contractor for, **12**. 650-651, 760-761.
auditors for, **18**. 447, 460.
bill for C. H. for, **12**. 177, 195, 196, 212, 213, 254, 346, 369, 371, 388, 391, 395, 452; **13**. 358; for education, **19**. 424, 450, 479, 737, 754, 756, 794, 822; for jail in, **6**. 1102, 1111, 1113, 1118, 1145, 1170, 1172, 1182, 1189, 1190, 1192; **7**. 556, 557, 561, 562, 564, 577, 578, 580, 587, 588, 592, 623, 668; for public buildings, **19**. 471, 807, 822-823; for tax for pub. buildings, **21**. 210, 217, 227, 289, 328, 586, 643, 670; to alter act for tax for pub. buildings, **18**. 54, 129, 201, 286, 294, 329, 355, 366; to amend act to establish academy in, **17**. 355, 396, 405, 407; to divide, **13**. 852, 955; **16**. 65, 67, 78, 80, 91; **19**. 38, 47; to join Randolph Co. to, **21**. 240, 257, 276, 328, 602, 623.
brig. gen. for, **13**. 734*b*, 734*c*, 734*g*; **17**. 959-960.
British threaten, **17**. 686, 688, 689-690, 692-693, 768-769, 770, 771-772, 776, 777.
coms'r for on confiscation, **24**. 662; on pension claims, **24**. 736; on provisions, **15**. 200.
confiscation in, **21**. 64, 155, 156, 164.
counties included in, **15**. 377; **23**. 691.
court records for, **22**. 501-13.
dist. auditors for, **24**. 373, 374, 387, 388, 422, 442.
divided, **15**. 377.
drafts from, **15**. 434, 435; delayed, **15**. 504; march to Camden, **22**. 584.
established for judicial purposes, **23**. 550-63.
extent, **7**. 477.
extract from court proceedings of, **10**. 1-9.
Frohock, clerk, **8**. 18-19.
Harrington brig. gen., **15**. vii; resigns as brig. gen., **15**. 140.
horses impressed, **17**. 939-940.
includes Wash. Co., Tenn., **24**. 141.
Indian incursions into, **17**. 803, 962, 965.
inhabitants of made prisoners, **14**. 727.
judges of, **12**. 109; **22**. 907.
light horse raised in, **13**. 734*g*.
members of Council of Safety for, **10**. 619.
memorials and petition from, **16**. 51-52, 87, 92, 96, 97, 101.
militia officers troops for, **24**. 340, 341; drafted in, **17**. 920; officers elected, **21**. 780, 781, 784, 787, 938, 943, 945, 946; organization of, **10**. 196, 204, 285, 286, 288, 291, 355, 361, 471, 518, 530, 535, 539, 563, 567, 568, 584, 669, 682, 830, 944; **11**. x; **24**. 1-5, 190, 358; strength, **11**. xii; sent against Cherokees, **11**. 337, 343.
money from for Cont. Line, **24**. 567; to be paid to contractor for, **12**. 803, 807, 852, 867.
Moore made judge for district of, **6**. 1007.
officers for troops, **10**. 518, 945; **12**. 100, 103, 109; **14**. 264, 265; **16**. 148, 167, 168, 169, 175; **18**. 449, 458.
petitions from, **19**. 24, 26, 52, 56, 63, 408, 411, 733, 735, 741; **21**. 324, 355, 434, 597, 682; from militia, **17**. 863; from sheriffs, **18**. 44, 275.
Polk commissary, **14**. 376-377.
powder to, **10**. 683.
presentment of grand jury, **20**. 143, 324, 329.
Prov. Council for, **10**. 214, 283, 284.
records of court in, **7**. 690-691.
report of auditor for, **22**. 1013-15; of quartermaster, **12**. 826-827; on militia wanted, **19**. 43, 47.
return of drafts in, **14**. 874; of militia, **22**. 1022.
Safety Com. organized and duties, **10**. 208, 215.
special asst. judge for, **23**. 561-2.
surgeon appt'd to raise levies in, **12**. 801, 858-859.
time of court, **7**. 605.
tobacco inspection in, **24**. 772.
treasurer for, **13**. 765-766, 855; **18**. 804, 806; **24**. 259; to settle with sheriffs, **17**. 314; troops raised in, **12**. 849; sent to frontiers, **22**. 913; to be raised in, **24**. 156, 157, 199, 369, 372, 415.
Wilkes Co. in, **24**. 144.
Salisbury Lutheran Church, **8**. 793, 795.

reorganized, **8**. 783-786.
Rothrock pastor, **8**. 792.
Salisbury Road, 9. 191, 192; **11**. 220, 224, 227, 234.
and S. C. boundary, **8**. 557, 560, 563, 567, 572, 573, 612.
Salisbury route, 15. 455.
Salkeld, ——, quoted, **8**. 36.
Sall, Edward, claims allowed, **8**. 142; **22**. 854.
Sallad, Jos., Sp. prisoner, **22**. 271.
Sallee (Sally), safety of, **1**. 260.
Sallee (Sally, Sallie) men, capture emigrants, **2**. 276.
Saller, Ed., in assembly, **3**. 635.
Salley. See Salis, Salling, Sallis, Sally.
Salley, Col., prosecuted for slander, **4**. 345.
Salley (Solley), John, law suits, **2**. 115-116.
Sallier, Benj., land grant to, **4**. 221.
Salliii (Salij) Ethica, 2. 583.
Salling (Sallings), George Adam, regulator, **7**. 734, 735.
regulator convention held at house of, **7**. 732.
See also Sally.
Sallis, John, charges of against Paine to be inquired into, **5**. 698, 708.
dropped as a J. P., **5**. 592.
in militia, **22**. 308.
petition for repeal of tax on free negroes, **6**. 982.
reports on militia co., **22**. 365-6, 375-6, 380.
to Dobbs on Granville militia, **5**. 424-426, 566-567.
Salls, Burwell, army pay, **17**. 250.
Sally. See Salley, etc.
Sally, George, regulator, **7**. 769.
Sally (Salley), George Adam, deposition on illegal fees, **7**. 782.
distraint on, **7**. 864.
regulator, **7**. 734, 735, 798, 799, 819, 821.
regulator conv. at house of, **7**. 732, 758-759.
See also Salling.
Sally, John, in militia, **17**. 1054.
Sally, brig, brings in teas, **9**. 1089, 1090.
Sally, brigantine, **22**. 913.
captured, **22**. 894.
Sally, schooner, **8**. 545.
Sally, sloop, granted to Fuller. **9**. 321.
Sally and Betsy, captured, **15**. 71.
Sallyer, Isaiah, petition against marriage act, **9**. 623-624.
Sallyer, Zachariah, petition against marriage act, **9**. 623-624.
"Salmagundi," 19. 991.
Salmon, John, gives receipt for money, **15**. 589.
Salmon, Vincent, army rank, **16**. 1163.
pensioner, **22**. 84.
Salmon Creek, 2. 217, 295, 390; **22**. 287, 291, 293; **25**. 170, 171.
inspection at, **25**. 313, 379.
town on, **1**. 229, 231.
tobacco inspection at, **23**. 641, 792.
Saloe, Cherokee chief, buried, **22**. 857.
Saloons, act on, **25**. 161, 169, 182, 203, 208, 262, 358; to regulate, **23**. 79-80, 97, 182-185, 337, 492-4, 725-8.
Sals, Edward, mace bearer, **9**. 380.
Salsbury. See Salisbury.
Salsbury, Andrew, land lapses, **2**. 355.
Salt, Hugh, takes oath, **22**. 177.
Salt, account to be rendered of, **11**. 343.
act against impressment of vehicles for, **24**. 351-2, 383; to encourage making of, **24**. 915; **25**. 31-3; to seize, **24**. 329.
agents for, instructions to, &c., **22**. 906-7, 908.
allowance for, **17**. 688, 766, 767, 769.
amount of annual import, **5**. 322.
application for right to import to be pushed, **9**. 578.
Armstrong on, **22**. 567-8.
bill for rebate on duty, **21**. 240, 617-618; to encourage making of, **20**. 153, 157, 168, 174, 177, 184, 300, 330, 343, 353; to encourage importation of, **17**. 818, 825, 904, 906, 909; to prevent monopoly in, **12**. 703; to regulate dealers in, **12**. 188, 354.
Blackledge makes, **22**. 926; on the making of, **10**. 716-718.
Board of War to Hawkins, Bignall and others on procuring salt, **14**. 476-477, 478-480.
Borden asks for and offers to manage works, **11**. 641; on the making of, **11**. 699-700.
borrowed, **22**. 561.
bought, **13**. 33; by State, **13**. iv; in Cross Creek, **10**. 577.
bounty for, **10**. v.
bounty on importation, **23**. 46.

brought from Bermuda, **13**. iii, 380; **15**. 218, 219; from France, **11**. 810; in by Pa. farmer, **13**. 217; **22**. 939; into Newbern, **13**. 354.
captured, **22**. 203; at Norfolk, **11**. 353.
Com. of Safety to Blackledge on, **11**. 345.
com. of ways and means to supply State with, and reports, **10**. 569, 571, 923, 964, 972, 984-986; to examine monopoly in, **10**. 951; to examine works for on Core Sound, **10**. 970, 986-988, 999-1000; to sell, **12**. 278.
complaints over seizure of, **10**. 963.
Davie reports on, **15**. 628-629.
demand for, **10**. 662; in Guilford, **10**. 668.
distributed among soldiers, **12**. 373.
distribution provided for, **10**. 828, 839, 999.
Eaton to Council of State on making, **22**. 745.
efforts to get pans for making, **10**. 869-870; to import from W. I., **11**. 406.
essay on making of published by N. C., **10**. 811, 812.
executors of Blackledge released from requirement to make, **12**. 374, 383-384.
exportation forbidden, **11**. 759-760; **13**. 45; **22**. 924.
exports allowed to get, **10**. 471, 473, 474; of provisions, **22**. 933-4.
for sale, **15**. 374.
for troops, **15**. 472.
foreign supply cut off by Br. fleet, **11**. 624.
furnished to Rowan and Mecklenburg, **14**. 440, 441, 444-445; to State by Blackledge, **12**. 201-202; to Va., **11**. 333.
high in Md., **11**. 515.
importance of, **16**. 194.
importation a necessity, **11**. 350-361; allowed, **10**. 369; of best quality forbidden by Parliament, **9**. 269; discussed, **6**. 1030; encouraged and speculation in forbidden, **10**. 685, 686; not to be granted, and reason, **9**. 309.
imported, **10**. 691, 834, 964, 969, 975, 996, 997; **11**. 553; **13**. 28, 38, 39; **15**. 581, 582; and sold, **9**. 1103, 1104; **12**. 101; at Edenton, **13**. 95; contrary to C. C., and action on same, **10**. 414, 416; from W. I., **10**. 264.
importers allowed to buy provisions, **14**. 455.
Kenan on want and importation of, **11**. 544-545.
landed from Lisbon, **9**. 340.
lent for fishery, **17**. 946-947; by Person, **15**. 640.
manufacture of, **10**. 720, 721, 840; considered, **10**. 754, 755; encouraged, **10**. 218-219.
Martin on needed importation of, **9**. 348.
materials for making wanted, **11**. 345.
may be shipped direct to A., **1**. 501.
memorial on importation of, **6**. 1167-1168.
merchant brought up for overcharge on, **9**. 1126.
mobs at Cross Creek over, **11**. xviii, 560, 564, 603, 630.
more works for to be erected, **10**. 645.
need of, **14**. 475-476; by troops, **10**. 672, 680.
not imported under trade acts, **5**. xlvi.
paid for at Cross Creek, **12**. 202.
pans to be made for manufacture of, **10**. 813.
petition on, **1**. 866.
plentiful in S. C., **11**. 360.
pork exchanged for, **13**. 838, 841; **14**. v, 204; **22**. 910.
preparations for the making of, **11**. 300.
price, **13**. 16; in Md., **11**. 503; in W. I., **15**. 337; raised, **11**. 688; regulated, **9**. 1113; **10**. 347, 424.
privilege to import asked, **9**. 132, 208, 209, 214, 215, 219.
procuring of, **15**. 624-625.
prohibition in trade discussed, **5**. 317.
protest against tax on, **17**. 409.
provisions may be exported to obtain, **15**. 6.
quarrel over, **14**. 406, 411.
raid on Edenton for proposed, **10**. 670-671.
regulations on, **5**. 322.
removed from coast, **14**. 457, 459; **15**. 152.
report and orders on scarcity of, **14**. 473-474; desired, **14**. 447.

reward for factory for, **9**. 1129-1130.
riots, proclamation against, **22**. 907.
rise in, **9**. 1100.
saved from vessel, **13**. 418.
scarcity, **14**. 494, 495; **22**. 597.
seized, **10**. 642.
sent to Granville, **10**. 686; to Sumter, **14**. 453; to Va., **10**. 736.
settlement to be made for, **12**. 652, 763.
sold at Cross Creek, **11**. 558; by S. C., **9**. 1122; in Pitt, **10**. 461.
statistics of, **26**. 1280, 1285.
staves exported to secure, **11**. 331-332.
stolen by militia, **22**. 602.
stores broken open for, **22**. 759.
supply considered, **15**. 598.
taken by Blount, **13**. 330.
to be delivered to Rutherford, **10**. 682.
to be distributed, **10**. 703, 705; in Granville and Wake, **10**. 690.
to be furnished to 10th regt., **12**. 154.
to be hunted for, **10**. 629.
to be imported, **22**. 748-749.
to be raided at Cross Creek, **11**. 526-527, 530, 531, 538, 546.
to be seized, **10**. 700, 703; in Va., **13**. 401.
to be sold, **10**. 451; **12**. 244, 245; by public, **12**. 420, 425, 426, 431, 433; to Moore's Creek soldiers, **10**. 704; to counties, **14**. 459, 460, 462, 467, 468, 470, 489, 490, 493, 495.
to Person, **17**. 971, 974.
trade in, **6**. 611.
trouble over, **11**. 548-549; to get, **5**. 3.
used to buy tobacco, **22**. 599.
wanted, **10**. 732, 733; in Mecklenburg, **14**. 456.
Williams and Easton to Council of Safety on making of, **10**. 723-725.
Williams on the making of, **10**. 739; to Coor on, **22**. 738-9; to Council of Safety on making of, **10**. 798-801; **22**. 745-6; to Harnett on making, **22**. 739-42.
works, guard over needed, **13**. 814; in Carteret, **10**. 620, 621; militia raised to protect, **17**. 827-828, 829; petition of executors of Blackledge on, **12**. 284; not damaged by Br., **22**. 589; threatened, **15**. 627; to be built, **10**. 538-539, 627.

Salt Lick, Tenn., Byrd locates lands on, **18**. 190.
Salt licks, bill to sell, **21**. 253, 261, 329, 357, 385, 617, 685, 710.
Salt licks and springs, act on sale of, **25**. 31-3.
Salt springs, 24. 915.
bill to vest in academy, **18**. 45, 147, 275, 276, 317.
Salter, Mr., 11. 543.
to ferret out Tories, **14**. 184.
Salter, Capt., 10. 468.
Salter, Mrs. Clara, petition, **18**. 135, 144, 145, 175, 183, 366, 368, 409.
Salter, Ed., juror, **25**. 189.
Salter, Edward, a J. P., **3**. 244; **6**. 343.
complaints of and against, **6**. 1068, 1069.
building coms'r, **25**. 329, 343, 344.
in assembly, **3**. 275, 285, 286, 312.
land grants to, **4**. 892, 1239.
powder receiver, **4**. 130.
Salter, Edward, 10. 94; **11**. 280, 281; **15**. 687.
at S. C. meeting, **9**. 1080, 1081.
claims allowed, **9**. 225.
clerk, **9**. 298.
clerk of S. C. of Pitt, **9**. 1079, 1100.
in assembly, **9**. 716, 723, 729, 734, 736, 758, 770, 783, 837, 840, 855, 859, 874, 880, 883, 884, 888, 898, 902, 903, 917, 918, 922, 931, 1189; **13**. 624, 736, 753, 825, 883, 894, 898; **17**. 795; **19**. 12, 15, 73, 82, 87, 89.
in Prov. Cong., **9**. xxxi, 1030, 1042, 1049, 1154, 1179, 1180, 1181; **10**. 121, 295, 501, 915, 960.
indemnified by Prov. Council, **10**. 354.
juror, **8**. 529.
lieut. col. of militia, **14**. 333.
on com. of assembly, **9**. 740, 1197; **13**. 641, 739, 740, 790, 832, 875, 924, 968; **16**. 35, 112; **17**. 796, 807, 844, 848, 866, 867, 895, 906, 938, 945.
on com. Prov. Cong., **10**. 504, 923, 925, 948, 951.
on Newbern dist. S. com., **10**. 215, 414, 415, 417.
on S. C. of Pitt, **9**. 1075, 1088, 1095, 1100, 1126, 1154, 1240; **10**. 62, 99.
owes state, **21**. 1070.
patroler, **10**. 63.
road coms'r, **23**. 222.
sells pork, **13**. 33.
stores salt, **10**. 451.

to Nash on movement of troops, **15**. 97.
Salter, George, land grant to, **4**. 1250.
Salter, James, a J. P., **4**. 47.
Salter, James, asks leave to resign as commissary, **12**. 406.
commissary, **10**. 975.
patroler, **10**. 63.
payment to, **13**. 349.
Salter, James, exempted, **9**. 452.
Salter, James, land grant to, **4**. 602.
rights proved, **4**. 598.
Salter, Jno., army rank, **16**. 1157.
captain, **10**. 626, facing 680.
Caswell to on and answer, **18**. 685, 686-687.
commands Pitt Co. troops, **15**. 19.
in army, **15**. 728.
lt. col., **20**. 272, 461.
patroler, **10**. 63.
tax collector, **19**. 707.
Salter, Oliver, a J. P., **4**. 48, 346.
juror, **4**. 519.
Salter, R., allowance to, **19**. 370.
Salter (Satter), Robert, 22. 460.
a J. P., **23**. 994; dropped, **9**. 1229.
at S. C. meeting, **9**. 1080.
buys tobacco, **22**. 597.
claims, **9**. 591; allowed, **9**. 225.
commissary, **10**. 193, 536.
dead, **14**. 107, 108, 109.
dues from as sheriff, **9**. 575.
fits out privateer, **10**. 638.
indemnified by Prov. Council, **10**. 354.
in assembly, **12**. 2, 29, 53, 54, 65, 70, 78, 114, 172, 173, 175, 176, 177, 179, 252; **13**. 532, 541, 553, 580, 588; on com. of assem., **12**. 22, 50, 140, 209, 306, 390; **13**. 544.
in Prov. Cong., **10**. 121, 166, 167, 172; on com. of Prov. Cong., **10**. 168, 175.
in Regulator campaign, **8**. 596; **19**. 838, 841; reports on Regulators, **22**. 408; to raise troops against Regulators, **22**. 409.
lieut. col., **10**. 206, 532.
list of money disbursed and orders of, **22**. 447-8.
on com. to collect aid for Boston, **9**. 1081.
on S. C. of Pitt, **9**. 1075, 1088, 1095, 1100, 1126, 1154, 1171, 1240, 1266; **10**. 14, 61, 99, 295, 451, 494.
patroler, **10**. 63.
payment to as commissary, **10**. 285.
recommended to command militia on boundary survey, **13**. 606-607, 609, 719.
recruiting officer, **22**. 928.
reports on conspiracy, **11**. 510, 513.
resigns as commissary, **10**. 975.
stores salt, **10**. 451.
tobacco receiver, **13**. 692-693.
to secure powder, **10**. 347.
Salter, Wm., a J. P., **3**. 425.
land grant to, **4**. 805.
Salter, Wm., building coms'r, **24**. 179-80.
in assem., **9**, 1188, 1189.
in Prov. Cong., **9**. 1042, 1049, 1178, 1180, 1181; **10**. 164, 167, 172.
on com. of assem., **9**. 1197.
on S. C. of Bladen, **10**. 112.
town coms'r, **23**. 920, 922.
Salter, Wm., in militia, **22**. 427.
Salters, Edward, land grant to, **4**. 1050.
Salters, Thos., land grant to, **4**. 353.
Salter's, inspection at, **23**. 641, 792.
on post route, **7**. 149, 413, 454.
Salter's Ferry, 5. 1211.
Salter's Landing, inspection at, **24**. 581; **25**. 313, 379.
Salterthwite. See Satterwhite, etc.
Salterthwite, Abraham, land grant to, **4**. 638.
Saltkehatchie River, tories on, **15**. 349.
Saltorage, 6. 1030.
Saltpetre, bounty offered for, **10**. v.
manufacture of abandoned, **12**. 373, 383; considered, **10**. 721; encouraged, **10**. 216; to be established, **10**. 537.
sent from France, **15**. 681.
works at Halifax discontinued, **12**. 200; erected in Halifax, **13**. 717, 731.
Saltzburger, 4. 18.
Saluda Old Town, proposed as place of Indian Congress, **11**. 160.
Saluda (Saludy) River, S. C., 7. 208, 209, 213; **8**. 755, 771; **11**. facing 80, 264; **14**. 542; **15**. 350; **19**. 975; **22**. 183.
on S. C. line, **7**. 155.
Salui, talk of at Indian Congress, **11**. 191.
Saluy (Sallowee), makes agreement on Cherokee boundary, **7**. 469-471.
Salvage, com. and reports of Prov. Cong. on, **10**. 542, 549-550.

Salvester, Richard Wm., rights proved, **4**. 637.
Salyer, Jno., in militia, **22**. 342.
Salyers, Martin, army rank, **16**. 1162.
Sam, slave, **17**. 595.
Sam, schooner, **13**. 354.
Samaritans, **8**. 544.
Sambeouf, M. de, **13**. 227, 228, 230.
Samford. See Sandford, Sanford.
Samford, Joseph, army pay, **17**. 248.
Samford, Robert, secretary of Clarendon Co., **1**. xiv.
See also Sandford.
Samford, Samuel, land grant to, **4**. 602.
petitions on roads and ferries, **5**. 164-166.
Sampiafi (Sampiaffi), at Indian Congress, **11**. 179, 185, 203.
talk of at Indian Congress, **11**. 185.
Sample, Jno., in militia, **22**. 452.
Sample, Robert, petition on separation, **22**. 705-10.
Samples, Wm., army rank, **16**. 1159.
Sampson, Mr., joins Amer. cause, **11**. 715.
Sampson, Col., camp near, **15**. 487.
Sampson, Isaac, army rank, **16**. 1164.
pensioner, **22**. 84.
Sampson, J., sells negro, **16**. 934.
Sampson, James, act for J. P.'s to take records in hands of, **24**. 179.
at Council of War, **7**. 842.
bill to appoint trustee in place of, **20**. 175, 178, 180, 188-189, 192, 195, 300, 347, 356, 367; to take records in possession of, **12**. 581, 582, 590, 591, 625, 626, 653, 685, 693, 694, 701, 717.
building coms'r, **23**. 925.
claim, **9**. 488; allowed, **9**. 414, 527, 528, 536; **22**. 848, 856, 879.
clerk, **9**. 298.
colonel, **9**. 298.
nom. for C. of S., **18**. 114, 122, 180, 340, 347, 411, 450.
ordered to raise troops against Regulators, **8**. 700.
payment to, **9**. 649.
refuses to act as councillor, **13**. 853, 917, 945.
report to on movement of Regulators, **8**. 687.
resigns as J. P., **19**. 433, 770, 774.
trustee and dead, **24**. 929.
warrant to, **8**. 707, 709.
Sampson, John, **5**. 570; **24**. 469.
a J. P., **4**. 460, 1039, 1040; **6**. 775; **7**. 871; **22**. 269, 279, 454.
act to make him trustee of Torrens, **24**. 870-1.
administers oath, **6**. 1157.
asks council for salary, **9**. 375-376.
at council of war, **7**. 842.
boundary coms'r, **23**. 686-7.
chm. com. of whole of council, **6**. 684, 1102.
commission to as member of council, **6**. 318-19; **11**. 139-140.
coms'r on church, **25**. 243; on town, **25**. 470.
deposition examined, **4**. 1139; on Rowan-McCulloh suit, **4**. 1092-1093.
favors court bill and character, **9**. 822, 971, 973, 978-979.
in assembly, **4**. 855, 900, 902, 906, 909, 910, 975, 976, 978, 980, 984, 986, 989, 990, 991, 993, 995, 1002, 1004, 1006, 1008, 1012, 1013, 1016, 1018, 1022, 1023, 1054, 1057, 1063, 1066, 1070, 1071, 1256, 1259, 1260, 1261, 1262, 1263, 1266, 1274, 1276, 1279, 1281, 1283, 1284, 1288, 1290, 1298, 1320, 1334, 1336, 1337, 1340; **5**. 45, 46, 49, 50, 62, 63, 64, 65, 66, 67, 68, 69, 71; **6**. 649, 654, 662, 668, 682, 684, 688, 691, 1094.
in council, **6**. 636-638, 755-772, 797-799, 838-892, 1007-1020, 1064-1066, 1067-1076, 1079-1086, 1087-1089, 1089-1164, 1220-1257; **7**. 7, 8-9, 10-31, 34-35, 37-39, 41-61, 118, 133-137, 137, 160, 187-188, 258-259, 271-279, 292-341, 446-447, 449-454, 523-529, 532-535, 549-568, 672-676, 730-731, 784-785, 850-581, 870-871, 872-874, 875-876, 883-884, 897-924; **8**. 14, 91-105, 148-150, 160-164, 268-270, 272, 282-302, 347-384, 480-481, 490-492, 513; **9**. 52-53, 55-57, 66, 71, 101-136, 293-295, 372, 383-447, 594-596, 706-714, 716-733, 788-790, 831-874, 1027-1030, 1041, 1056, 1171; **10**. 106-107.
in militia, **22**. 307.
inspector, **23**. 355.
judge chancery ct., **6**. 1042.
land grant asked, **4**. 454; grant to, **4**. 334.
lieut. gen., **22**. 870, 871.
list of company in Sp. alarm, **22**. 283-6.
memorial in favor of Smith, **6**. 58-60.
nominated as councillor, **6**. 330, 559.

on claims com., **22**. 836, 840, 847, 852, 855, 862.
on com. of council, **4**. 864, 900, 1318, 1331; **5**. 39, 54, 55; **6**. 810, 819, 824, 842, 860, 894, 897, 900*b*, 903, 916, 930, 1093, 1099, 1157, 1222, 1261; **7**. 296, 297, 346, 555, 573, 898, 940; **8**. 91, 115, 386, 387; **9**. 106, 144, 156, 382, 453, 464, 475, 712, 741, 745, 838, 877, 881, 887, 893.
promoted lt. gen., **7**. 831, 833.
protests against locating capital at Newbern, **6**. xxiv-xxv, 878-879.
recommended for council, **6**. 58, 217, 251.
recommends McCartney, **9**. 61-62.
reports on public claims, **6**. 738-744; on settlers on McCulloh grants in Duplin Co., **7**. 276, 278; on town site, **6**. 816.
signs memorial on S. C. line, **6**. 779.
surety, **9**. 73, 74, 591-592.
takes oath, **6**. 1087; **7**. 6.
to give money for education and religion, **5**. 144*b*-144*c*.
to make returns of lands, **6**. 1070.
to run co. line, and vestryman, **23**. 342, 343.
witnesses, **22**. 303.
Sampson, John, a J. P., **23**. 993.
co. coms'r, **23**. 779.
member of C. of S., **13**. 737, 738, 788, 789.
to Caswell, resigning as member of council, **14**. 84.
Sampson, Michl., **17**. 630.
Sampson, Richard, enlists, **22**. 474.
Sampson County, **16**. ix; **17**. 133, 349; **18**. 18, 252, 521; **19**. 428, 433, 770; **20**. 41, 43, 47, 58, 63, 67; **21**. 163, 420, 650, 1067; **25**. 38, 64.
act for tax for pub. buildings, **24**. 624-5, 756-7, 810-11, 990-1; **25**. 108; for town in, **24**. 776; on jurors, **24**. 907-8; **25**. 13; to create, **24**. 642-4; to destroy wild animals, **24**. 749-50, 958; to fix time of co. cts., **24**. 717-18; to put into new Fayetteville Dist., **24**. 927-8.
Baptists in, **5**. 1179.
bill for dist. court, **18**. 453; for public buildings in, **18**. 28, 262, 292, 327; for town in, **17**. 336, 338, 346, 361, 386, 392; on courts and public buildings, **20**. 65; to join part of New Hanover to, **21**. 252, 621.
census of, 1790, **26**. 1077-1096.
jurors from, **24**. 643.
members in assembly, **17**. 146, 265, 269; **18**. 2, 227; **19**. 400, 718; **20**. 2, 120, 302, 476, 477, 488, 494, 495, 562; **21**. 2, 4, 5, 194, 197, 730, 872.
members in conv. 1788 and 89, **22**. 3, 38.
owes state, **21**. 1067, 1068, 1078.
petition on Fed. Conv., **21**. 42-43.
population, **18**. iii, 433.
Presbyterians in, **5**. 1199.
tax in, **19**. 707.
Sampson (Samson) Hall, **10**. 722; **14**. 84; **15**. 498, 543; **16**. 958; **22**. 536.
Sams, Mathew, exempted, **4**. 526.
Samuel, Mr. (Samuel Swann?), opposes land grant, **4**. 1036.
Samuel, Andrew, pensioner, **22**. 86.
receives clothing, **16**. 619.
Samuel, brig, seized, **7**. 159.
Samway, Henry, dead, **22**. 621.
Samzel, Alexander, land grant to, **4**. 1239.
Samzell, Joseph, land grant to, **4**. 1239.
Sanbeaux, Captain, **13**. 448.
Sanchez, Casper (Tanti), works of, **2**. 583.
Sanchez, Frs., kind to Amer. prisoners, **15**. 394.
Sancho Panza, compared to Everard, **2**. 648, 649.
Sancta Katherina Bay, **1**. 207.
Sanctuaries, Eng. act on in force in N. C., **23**. 321.
Sand Banks, **1**. 514; **2**. 317.
influence on rivers, **4**. 1313.
prevent heavy shipping, **3**. 77.
Sand Hill (Hills), act for town at, **23**. 399; **25**. 268-70.
bill to erect town at, **5**. 41, 43, 45, 46, 49, 59, 60, 61, 63, 64, 65, 66, 183, 184, 185, 186, 187, 199, 201, 203, 204, 205, 206, 208.
Sand Hills, **5**. 1209; **8**. 774; **14**. 519, 530; **26**. 458.
Sand Hills Camp, **15**. 406.
Sand Hills of Pee Dee, **14**. x.
Sanderford, Jos., in militia, **22**. 343.
Sanderlain. See Saunderlen.
Sanderlain, John, quit rents of, **22**. 250.
Sanderlain, Jos., quit rents of, **22**. 250.
Sanderlin, Isaac, army pay, **17**. 248.
army rank, **16**. 1159; **18**. 797.
Sanderlin, Jno., army rank, **16**. 1153.

Sanderlin, Jno., juror, **25**. 187.
Sanderlin, Jno., Jr., juror, **4**. 519.
Sanderlin, Josiah, army rank, **16**. 1163.
Sanderlin, Levi, army pay, **17**. 248.
soldier, **16**. 1153; **18**. 797.
Sanderlin, Robt., army rank, **16**. 1166.
Sanderlin, Robert, juror, **4**. 519.
Sanderlind, Isaac, in army, **15**. 726.
Sanderline's line, **24**. 529.
Sanders. See Saunders.
Sanders, ——, **14**. 48.
Sanders, ——, troops under, **15**. 505.
Sanders, Mr., **16**. 638.
Sanders, Mr., **20**. 348.
Sanders, Mr., pay to, **22**. 499.
Sanders, Col., to sell guns, **13**. 763-764.
Sanders, Lt., **15**. 446.
movements, **16**. 643.
on board of rearrangement, **16**. 575.
stores to, **15**. 597.
Sanders, Abraham, quit rents of, **22**. 254.
Sanders (Saunders), Adam, allowance to guard of, **18**. 133.
arrests Dixon and thanked, **18**. 357, 359, 440-441, 447.
in assembly, **17**. 264, 266, 293, 304, 364, 365, 366, 368, 387, 391, 394, 395, 406, 409, 424; **18**. 226, 228, 344, 350, 357, 361, 362, 376, 389, 399, 412, 429, 440, 443, 469, 470, 471, 809; **20**. 119, 163, 168, 244, 275, 287, 306, 350, 432, 479, 507.
petitions for division of Orange Co., **9**. 809.
receives clothing, **16**. 619.
thanked, **18**. 221.
Sanders, Alex., bill for services, **22**. 440.
receipt for regulation expenses, **22**. 426.
Sanders, Andrew, army pay, **17**. 249.
army rank, **16**. 1153.
resigns as J. P., **21**. 292, 649.
Sanders, Andrew Solomon, petition against marriage act, **9**. 623-625.
Sanders, Applewhite, army pay, **17**. 249.
Sanders, B., in conv. 1789, **22**. 46, 49.
Sanders, B., receives pay for soldiers, **17**. 245, 251.
Sanders, Benj., a J. P., **3**. 251, 252.
land grant to, **4**. 761.
Sanders, Benj., army rank, **16**. 1161.
Sanders (Saunders), Britain, allowance to, **19**. 411, 734.
in assembly, **20**. 120, 121, 124, 167, 172, 180, 230, 238, 239, 240, 244, 246, 276, 287, 288, 306, 350, 432, 479, 507; **21**. 2, 4, 6, 47, 52, 66, 68, 74, 77, 110, 115, 121, 130, 160, 190, 194, 196, 198, 234, 240, 264, 288, 294, 305, 332, 344, 346, 367, 372, 379, 393, 398, 402, 411, 432, 603, 709, 751, 760, 775, 805, 818, 828, 850, 872, 873, 875, 899, 911, 927, 930, 937, 941, 946, 965, 970, 973, 980, 987, 999, 1004, 1006, 1012, 1013, 1015, 1020, 1021, 1031, 1032, 1050, 1055.
in conv. 1788, **22**. 4, 5, 26, 28, 30, 32.
in conv. 1789, **22**. 39, 46, 49.
Sanders, Caleb, army pay, **17**. 249.
Sanders, Chas., in militia, **22**. 343.
Sanders, Charles, petitions on need of money, **7**. 866-867.
Sanders, Daniel, regulator, **7**. 735.
Sanders, Duss, army rank, **16**. 1155.
Sanders, Francis, in militia, **22**. 360.
Sanders (Saunders), Hardy, a J. P., **8**. 149.
co. coms'r, **23**. 820.
exempted, **17**. 973.
in assembly, **12**. 656, 699, 736, 816, 872, 879; **13**. 625, 690, 697, 708, 709, 712, 721; **19**. 234, 235, 263, 274, 324, 334, 354, 359, 377, 379; on com. of assem., **13**. 770, 821, 935.
in militia, **9**. 689.
reports on cattle and answer, **22**. 612-14.
resigns from militia and as J. P., **21**. 750, 898, 900.
to Burke on cattle and answer, **16**. 208-209, 213; on movements of tories, **15**. 610.
to Sumner on Tories, **15**. 612-613.
Sanders, Henry, army rank, **16**. 1166.
Sanders, Isaac, army rank, **16**. 1157.
Sanders, Jas., army rank, **16**. 1155.
Sanders, Jas., army rank, **16**. 1156.
Sanders, James, colonel, **22**. 130, 144.
county coms'r, **24**. 25-6, 524.
councillor, **17**. 143.
in assem., **20**. 163, 168, 180, 229, 238, 239, 240, 244, 246, 276, 287, 288, 306, 350, 432, 479, 507.
nom. for C. of S., **19**. 200, 202, 331, 552, 571; **20**. 226, 417; **21**. 393.
resigns as J. P., **20**. 521, 536; **21**. 81.

sheriff, **21**. 1073.
surveys land, **25**. 42-3.
Sanders, James, juror, **2**. 830.
Sanders, James, petition on C. H., **9**. 806-807.
Sanders, James, regulator, **8**. 80.
Sanders, James, regulator, **8**. 80.
Sanders, James, rights proved, **4**. 705.
Sanders, James, school trustee, **13**. 809.
Sanders, James, Jr., petition for division of Orange Co., **9**. 809.
Sanders, Jesse, in militia, **22**. 162.
Sanders, Jesse, pay to, **22**. 491.
Sanders, Jo., owes state, **21**. 1071.
Sanders, Job, army pay, **17**. 247.
army rank, **16**. 1160.
Sanders, John, army pay, **17**. 247.
Sanders, John, army pay, **17**. 249.
in army, **15**. 732.
Sanders, John, land grant to, **4**. 332. 761.
Sanders, John, takes oath, **22**. 178.
Sanders, Jos., army rank, **16**. 1157.
Sanders, Jos., army rank, **16**. 1161.
Sanders, Joseph, asks for lapsed land, **2**. 352.
Sanders, Joseph, pay to, **22**. 489.
Sanders, Luke, takes oath, **22**. 177.
Sanders, Moses, **20**. 581.
lands of sold, **21**. 1053.
Sanders, Nahum, takes oath, **22**. 169.
Sanders, Nathan, asks relief from church tax, **9**. 95-97.
petition on who are tithables, **9**. 97.
Sanders, Patrick, regulator, **8**. 80.
Sanders, Philip, pensioner, **22**. 85.
Sanders, Richard, in assem., **1**. 273.
Sanders, Richard, receives clothing, **16**. 619.
Sanders, Robt., army rank, **16**. 1162.
Sanders, Robert, gives power of att'y, **1**. 593.
Sanders, Robt., in militia, **22**. 343.
Sanders, Robert, land grant to, **4**. 642.
Sanders, Robert, patroler, **10**. 63.
signs Pitt Asso., **10**. 221.
Sanders, Robert, Jr., army pay, **17**. 246.
Sanders, Robert, Sr., army pay, **17**. 246.
Sanders, Saml., army rank, **16**. 1166.
Sanders, Sandy, militiaman, **9**. 344.
Sanders, Simon, felon, **22**. 859.
Sanders, Thos., army rank, **16**. 1164.
Sanders, Thomas Elick, regulator, **7**. 736.
Sanders (Saunders), Wm., army pay, **17**. 249.
army rank, **16**. 1153.
arrested for fraud, examined, &c., **18**. 21-22, 36, 150, 162, 163, 251, 371, 384, 385.
conduct to be examined, **20**. 749-50, 756.
petition, **20**. 493, 528; **21**. 19, 20, 21, 30, 69-70, 73.
rank, **16**. 73, 609.
receives clothing, **16**. 619.
receives pay for soldiers, **17**. 189, 190, 192, 195, 196, 197, 199, 201, 202, 203, 204, 206, 207, 208, 209, 211, 212, 213, 215, 217, 219, 220, 221, 223, 225, 226, 227, 228, 229, 230, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 244, 246, 247, 249, 250, 251, 252, 253, 254, 255, 256, 257, 259, 260, 261, 262.
Sanders, Wm., in militia, **22**. 359.
Sanders, Wm., pensioner, **22**. 86.
Sanders, Wm., petitions for division of Orange Co., **9**. 809.
Sanders, Wm., regulator, **7**. 734.
Sanders' (Jos.), inspection at, **25**. 314, 380.
Sanders' Bridge, **22**. 565.
Sanders' Landing, tobacco inspection at, **23**. 641, 792.
Sanderson. See Saunderson.
Sanderson, ——, quit rents of, **22**. 254.
Sanderson, Mr., pays quit rents, **2**. 727.
Sanderson, Abraham, in militia, **22**. 318.
Sanderson, Benj., a J. P., **2**. 676.
Sanderson, Benj., in militia, **22**. 319.
Sanderson, Benj., in militia, **22**. 392.
Sanderson, Benjamin, in militia, **22**. 497.
Sanderson, Ben., juror, **25**. 190.
Sanderson, Benj., land grant to, **4**. 703, 806.
Sanderson, Caleb, army rank, **16**. 1159.
Sanderson, Cullen, army pay, **17**. 249.
Sanderson, Mrs. Damaris, tries to forge will, **2**. 438.
Sanderson, George, keeps Great Deed of Grant, **3**. 289.
Sanderson, Jasper, juror, **25**. 188.
Sanderson, Jesse, in militia, **9**. 58.
Sanderson, John, land grant to, **4**. 759, 801.
Sanderson, Jonathan, land grant to, **4**. 799, 968.

Sanderson, Jona., Jr., in militia, **22.** 318.
Sanderson, Joseph, a J. P., **2.** 526, 572; **4.** 345.
foreman of grand jury, **2.** 261, 264, 265, 647.
in assem., **2.** 608, 624.
juror, **2.** 433, 587, 589, 591, 596, 666, 712.
land lapses, **2.** 390.
vestryman, **2.** 209; **23.** 7.
Sanderson, Jos., in militia, **15.** 399.
Sanderson, Jos., in militia, **22.** 390.
Sanderson, Jos., juror, **4.** 519.
Sanderson, Jos., Jr., juror, **2.** 519.
Sanderson (Sanders), Richard, a J. P., **2.** 264.
administrator, **2.** 43.
asks for appraisers, **2.** 246.
assembly to meet at house of, **2.** 200; **23.** 333; **25.** 159.
buys land, **2.** 80; and lightwood, **2.** 204-205.
commends Adams, **1.** 728-729.
coms'r on navigation, **25.** 195; on land, **1.** 792; **25.** 155; on town, **25.** 201; on Va. boundary, **2.** 311-312.
council held at house of, **2.** 170-173, 184, 204-205, 226-227.
deputy of heirs of Sothel, **2.** 2, 3.
disposes of Adams's library, **2.** 122.
dispute over will of, **2.** 351-352, 357.
holds books of Adams, **2.** 54, 75.
in assembly, **25.** 159.
in council, **2.** 296-297, 301-303, 307-309, 311-318, 321-324, 341-349, 350-357, 374-375, 377-380, 389-392, 396-398, 425-429, 432, 438, 449-450-457, 459-463, 472, 482-485, 489, 491-499, 500-507, 514-515, 516-518, 533-534, 562-565, 569-570, 571-572, 573-575, 606-608, 622, 637-639, 641-645, 673-676, 677-683, 724-725, 764-768, 770-773; **3.** 123.
juror, **2.** 646.
justice of general court, **2.** 148-150, 264, 645-655.
land vested in, **23.** 89, 90.
law suit, **1.** 593; **2.** 97-98, 113-114.
leaves property to church, **1.** 734 (?).
on Cary Rebellion, **1.** 784-787.
petition, **2.** 184; of son about estate of, **2.** 323.
sells land, **2.** 148.
signs acts, **1.** 790, 794; **23.** 102, 111, 116; **25.** 154, 156.
to administer oath, **2.** 566.
to divide estate, **1.** 421.
to King on Everard, **3.** 2-5.
vestryman, **2.** 208, 209; **23.** 7.
will forged, **2.** 401, 438.
Sanderson, Richard, a J. P., **2.** 595-596, 676.
asks for lapsed land, **2.** 317, 390.
leaves property to the church, **3.** 16.
to administer oath, **2.** 515.
to receive bonds, **2.** 322.
Sanderson, Richard (Perq.), in assem., **3.** 561, 612, 613.
land grant to, **4.** 59.
resurvey granted, **4.** 589.
signs land grant, **4.** 318.
Sanderson, Richard, Jr., a J. P., **3.** 234.
account against Gov. Hyde, **2.** 44.
administrator, **2.** 43.
appraiser, **2.** 323.
commends Adams, **1.** 728-729.
law suit, **2.** 352, 357.
petition about his father's estate, **2.** 323.
to make rent roll, **2.** 35.
vestryman, **23.** 7.
Sanderson, Thos., a J. P., **4.** 713.
juror, **4.** 519.
Sanderson, Thomas, in militia, **9.** 58.
Sanderson, Thos., in militia, **17.** 1054.
Sanderson, Thos., Jr., in militia, **22.** 390.
Sanderson, Wm., in militia, **22.** 318.
Sanderson, Wm., witness, **20.** 159, 160, 161, 162.
Sanderson, Wm., Jr., in militia, **22.** 391.
Sanderson's Landing, tobacco inspection at, **23.** 641, 792.
Sandesur, Thos., deserter, **13.** 464.
Sandford. See Samford, Sandiford, Sanford.
Sandford, Peleg, no oath to, **1.** 530.
Sandford (Sanford), Robert, **1.** 160.
escapes wreck, **1.** 128-129.
explores river, **1.** 134; Edisto River and takes possession of country, **1.** 122-123.
petition from, **1.** 145-149.
secretary of Clarendon Co., **1.** xiv, 72, 118.
sound named for, **1.** 135.
takes Indian home, **1.** 136.
visits Indians, **1.** 125.
voyage of discovery of, **1.** 118-139.
Sandford, Robt., in militia, **22.** 163.

Sandford, Samuel, a J. P., **4.** 1046.
Sandford, Thos., on Va. debtor law, **2.** 279-280.
Sandhills. See Sand Hills.
Sandiford. See Sandford, etc.
Sandiford, Amos, army rank, **16.** 1164.
Sandiford, Peter, deposition, **5.** 617.
Sandiford, Robt., army rank, **16.** 1161.
Sandiford, Saml., pensioner, **22.** 86.
Sandin, John, army pay, **17.** 250.
Sandland. See Sanderlain, Sanderlin, Saunderlen.
Sandland, Jno., Jr., in militia, **22.** 371.
Sandland, Jno., Sr., in militia, **22.** 371.
Sandlen, John, Sr., takes oath, **22.** 173.
Sandry, W., receives pay for soldiers, **17.** 223.
Sands, Richard, regulator, **8.** 78.
Sands, Thos., ships tobacco, **1.** 322.
Sands, Wm., pensioner, **22.** 87.
Sandusky, not surrendered, **17.** 588.
Sandusky (Sanduski) River, 5. 465.
fort needed on, **5.** 465, 467, 476.
Sandwich, Earl of, at Privy Council, **9.** 632, 666.
signs revocation of Heath patent, **1.** 43.
Sandwich, man of war, **15.** 299.
detained, **15.** 257.
threatens Wilmington, **14.** 748-749.
Sandwich Packet, the, 10. 69, 70; **11.** 268.
Sandwichs, the, 10. 156.
Sandy Banks, 2. 139, 141.
Sandy Beach, 14. 327.
Sandy Bluff, 5. 354.
Sandy Creek, 8. 620, 655, 656, 713; **19.** 841; **22.** 422, 444, 460.
Germans on, **8.** 734.
regulators on, **7.** 765, 766, 769; **8.** 546.
report on army encamped on, **8.** 677.
requisition from, **8.** 715.
Sandy Creek, Franklin Co., **14.** 836.
Sandy Creek Assn., union with Kehukee Ass'n, **5.** 1177.
Sandy Creek Baptist Association, and regulators, **8.** 655-6.
history of, **5.** 1163, 1170-1175, 1185, 1187, 1188.
Sandy Creek Camp, 8. 586, 587, 588, 589, 670, 671, 672, 713, 714, 715, 716.
Sandy Creek Church, 5. 1181.
Sandy Creek Church, history, **5.** 1163, 1167-1169, 1172.
results of Regulation War on, **8.** 655.
Sandy Creek Lutheran Church, 8. 776.
Sandy Cross Church, 5. 1180.
Sandy Hoòk, N. J., 10. 908; **11.** 542, 549, 569, 749, 802; **14.** 432; **17.** 18.
British fleet arrives at, **14.** 201, 634, 672; leaves, **14.** 796.
French fleet at and captures prizes, **22.** 975, 976.
Sandy Hook, N. Y., 13. 197, 198, 199, 236, 299, 326, 327, 332, 333, 463.
Sandy Hook Bay, 14. 240.
Sandy Point, 2. 305, 321, 359, 380, 505; **4.** 1044.
council held at, **2.** 307-309.
governor's house on, **2.** 199.
Sandy River, 7. 1005; **11.** facing 80.
Sandy Run, 23. 165, 205.
Sandy Run Church, 5. 1176, 1180.
Sandy Run Lutheran Church, S. C., 8. 777.
Sandys, Lord, at Board of Trade meetings, **6.** 748-755.
at Privy Council, **11.** 213-215.
recommends disallowance of vestry and clergy acts, **6.** 720-723; repeal of laws, **6.** 700-701.
to Dobbs on assembly, **6.** 539-541; on public affairs, **6.** 702-703, 724-728; to King on court acts, **6.** 587-591; on grants of Indian lands and commission of judges, **6.** 582-586; on instructions to Dobbs, **6.** 558-561.
Sanford. See Samford, Sandford.
Sanford, Joseph, inquest on, **19.** 412, 438, 736.
Sanford, Robt., takes oath, **22.** 178.
Sanford, Saml., rights proved, **4.** 598.
Sanford Sound, named, **1.** 135.
Sanitary measures, act on, **23.** 355-358, 381-383.
See also Quarantine.
Sanmon, Isaac, petition on C. H., **9.** 806-807.
Sanson, Lawrence, land lapses, **2.** 540.
Sansum, John, prisoner, **15.** 392.
Santa Catharina, ship, Martin reports on case of, **9.** 33-36.
Santa Croix, 19. 668.
Santa Cruz (Santicruse), 9. 1066.
run from, **7.** 159.
trade with, **5.** 319.
Santa Rosa, fort, threatens French, **6.** 618.
Santa Sevilla, 11. 185, 194, 201.
Santee, Cæsar, in army, **13.** 528; **16.** 1154.

Santee, Michl., army rank, **16**. 1164.
Santee (parole), **8**. 597.
Santee River, **2**. 252, 422; **5**. 257; **7**. 155, 1004; **8**. 565; **11**. 11, 51, 128, 130, 131, 148, 150; **14**. xi, 188, 335, 496, 540, 554, 621, 622, 625, 653, 665, 666, 680, 681, 683, 726, 746, 747, 748, 805, 825, 830; **15**. iv, 27, 28, 30, 245, 251, 267, 276, 277, 280, 281, 368, 396, 607; **16**. 631, 668, 881; **17**. 407; **19**. 983; **22**. 93, 95, 96, 102, 103, 104, 105, 134.
and boundary of S. C., **2**. vii, viii; **3**. 154; **5**. 390.
British on, **14**. 821; and Amers. on, **17**. 1031, 1032, 1034; movements about, **15**. 655; to be driven beyond, **15**. 11; to confine operations to, **17**. 1030.
disaffection on, **15**. 277, 279, 284, 288, 303.
no lands to be surveyed north of, **1**. 383.
no settlers north of, **1**. xv.
section on in rebellion, **15**. 259.
settlements on, **4**. 916; **5**. 472.
skirmish on, **15**. 185.
troops needed on, **14**. 506.
Santo Domingo. See St. Domingo.
Santy, Ceasar, army rank, **16**. 1154.
Sap (Sup?), Edward, witness, **1**. 423.
Sapell, Anthony, in militia, **22**. 497.
Sapert, **6**. 260.
Sapho, inspection at, **25**. 313.
Saphronis, Mr. de, **17**. 435, 484.
Sapona (Saponies, Sapponas, Sappones, Sappony) Indians, join Catawbas, **3**. 89.
join Tuscaroras, **3**. 537-538.
killed by Tuscaroras, **2**. 674.
number, **5**. 321.
presents to, **22**. 866.
report on, **5**. 162, 616.
to be used against Tuscaroras, **1**. 866, 884; **11**. 15.
visit camp of surveyors, **2**. 785.
Sapona (Sapponie) Town, **2**. 643.
guard sent to, **1**. 808.
Sappingfield (Sapinfield), Matthias, loyalist, **10**. 599.
ordered to raise King's standard, **10**. 441-443.
prisoner, **22**. 924.
property confiscated, **19**. 672; **24**. 263, 424.
signs test, **10**. 317.
to be arrested, **10**. 311.
Sappling Creek, **24**. 447.
Saraghtoga, **4**. 821.
Sarah, schooner, **22**. 262.
Saratoga, battle of, **11**. 808; **14**. 636; **15**. 773.
convention of, hand-bill on ment'd, **11**. 818.
surrender at, **14**. 790.
Saratoga Hero, Gates, **13**. 61.
Saratt, Samuel, in army, **15**. 722.
Sarbrough, Austin, juror, **25**. 187.
Sarders, James, Sr., petitions for division of Orange Co., **9**. 809-810.
Sarecto, act to create, **24**. 846-7.
See also Soracte.
Sareuis, signs Indian treaty, **11**. 203.
Sark, Is. of, trade to not allowed, **10**. 369.
Sarsnett, Joshua, land grant to, **4**. 799.
Sarsnutt, Richard, land grant to, **4**. 1038.
rights proved, **4**. 1038.
Sarson, Lawrence, a J. P., **2**. 607, 818.
juror, **2**. 408, 409.
land lapses, **2**. 377-378, 574.
to examine land, **2**. 454.
witnesses will, **22**. 294, 295.
vestryman, **2**. 208; **23**. 7.
Sartis, Thos., in militia, **22**. 320.
Sarum, **1**. 385; **2**. 805, 806.
Mashburn's school at, **1**. 859.
Sarvis' Mill, **22**. 109.
Sasater, Abner, pensioner, **22**. 85.
Saser, Wm., rights proved, **4**. 640.
Sasnut, Joshua, land grant to, **4**. 709.
Sassafras River, tobacco on, **1**. 441.
Sasser. See Saser, Saucer.
Sasser, Mr., **14**. 159.
Sasser, Benj., pensioner, **22**. 85.
Sasser, John, **22**. 475.
bill for services, **22**. 449-50, 479-80.
certificate on Dobbs militia, **22**. 469.
claim allowed, **18**. 319.
co. chairman, **22**. 485.
to make sulphur, **10**. 565.
Sasser, John, Jr., witness, **22**. 472.
Sasser, Jos., court to meet at house of, **24**. 290.
Sasser, Parker, on S. C. of Pitt, **10**. 99, 243.
Sasser, Thomas, land grant to, **4**. 649, 947.
Sasser, Wm., a J. P., **23**. 993.
Sasser, Wm., land grant to, **4**. 641.
Sasser's, Mr., **22**. 444.
Sasser's Landing (John), **22**. 464.

Sassinfield & Co., to swear before S. C., **10**. 137.
Sassnot, Joseph, rights proved, **4**. 649.
Satan, **13**. 440.
Satathwait. See Satterwhite.
Satathwait, Wm., deposition, **5**. 818.
Satchwell, John, resigns as J. P., **21**. 819, 988, 992.
Saterfield. See Satterfield.
Saterfield, Caldwell, asks for new county, **9**. 89-90.
Saterfield, James, asks for new county, **9**. 89-90.
Saterfield, John, asks for new county, **9**. 89-90.
Saterfield, John, asks for new county, **9**. 89-90.
Saterfield, Wm., Sr., exempted, **6**. 1299.
Saterthwait, Wm., lieut. of militia, **14**. 135.
Saterthwhite, Joseph, rights proved, **4**. 705.
Saterwhit, Saml., in militia, **22**. 319.
Saterwhite, Joshua, land grant asked, **4**. 707.
Saterwhite, Mich., report on militia co., **22**. 369.
Satherthaite, Wm., deserter, **11**. 742.
Satler, Samuel, suit with, **16**. 676.
Satterfield. See Saterfield.
Satterfield, James, asks for new county, **9**. 89-90.
Satterthwhite, Wm., road coms'r, **23**. 222.
Satterwhite. See Salterthwite, Satathwait, Saterthwait, etc.
Satterwhite, Col., Bd. War to on prisoners, **14**. 415.
to send grain and wagons, **14**. 398.
Satterwhite, James, in militia, **22**. 167.
Satterwhite, James, takes oath, **22**. 174.
Satterwhite, Thos., **22**. 129.
Satterwhite, Thos., captain, and resignation of, **14**. 29, 264, 265.
capt. of light horse, **13**. 734*f*.
coms'r on town, **24**. 878; to sign bills, **24**. 184.
declines to sign bills, **22**. 937.
recruiting officer, **22**. 928.
Satterwhite, Thos., in militia, **22**. 394.
Satterwhite, Thos., takes oath, **22**. 174.
Sattilla River, fort on captured by British, **11**. 709.
Sattissis, the, **22**. 999, 1005.
Satton, Solomon, petitions on outlaws, **11**. 731-732.
Saucer. See Saser, Sasser.
Saucer, Mary, land grant to, **4**. 1043, 1048.
Saucer, Thomas, land grant to, **4**. 892.
Saucer, Wm., land grant to, **4**. 711.
Sauers, ——, printer, **8**. 731.
Sauer's Church, history, **8**. 743.
Saul, Edward, doorkeeper of council, **8**. 105; of senate, **12**. 3.
sergeant at arms, **7**. 292.
Saul, Samuel, petitions for division of Orange Co., **9**. 809.
Saul, Silvanus, land grant to, **4**. 1250.
Saul, Wm., in militia, **22**. 377.
Sauls, Bartholomew, army pay, **17**. 250.
Saunderlen. See Sandland, Sanderlain, Sanderlin.
Saunderlen, Callensworth, in militia, **22**. 349.
Saunderlen, Jno., in militia, **22**. 349.
Saunderlen, Jno., Jr., in militia, **22**. 349.
Saunderlen, Robert, in militia, **22**. 349.
Saunders. See Sanders.
Saunders, ——, **10**. 385. 386.
Saunders, ——, pay to, **22**. 495.
Saunders, ——, pay to, **22**. 495, 496.
Saunders, Col., **14**. 51.
Saunders, Rear Admiral, made commander in chief in N. A., **6**. 8.
Saunders, Lieut., rank, **16**. 664.
Saunders, Lt. Col., **22**. 575.
Saunders, Alex'r, in militia, **22**. 422.
Saunders, Alexander, law suit, **1**. 626-627.
pays witnesses, **1**. 627.
Saunders, Andrew, canal coms'r, **25**. 50.
Saunders, Andrew, in army, **13**. 522.
Saunders, Benj., land grants to, **4**. 619, 630.
quit rents of, **22**. 254.
Saunders, Caleb, soldier, **18**. 797.
Saunders, Charles, accounts, **22**. 1019.
Saunders, Chas., in militia, **22**. 360.
Saunders, Charles, nom. for C. of S., **19**. 540.
Saunders, Coleburn, army pay, **17**. 250.
Saunders, Collin, soldier, **18**. 797.
Saunders, Isaac, a J. P., **6**. 341.
Saunders (Sanders), James, a J. P., **23**. 995.
bill for expenses in Regulation War, **22**. 422-4.

Bd. War to on wagons, **14**. 420.
colonel, **10**. 532; **15**. 351.
coms'r on building, **24**. 177, 524.
in army, **13**. 508.
in assembly, **12**. 172, 173, 175, 176, 177, 179, 180, 201, 213, 214, 219, 252, 549, 561, 570, 573, 607, 608, 622, 633, 699, 764; **13**. 624, 744, 753, 825, 858, 883, 894, 898; on com. of assem., **12**. 560, 666, 767, 824, 837, 842.
in Prov. Cong., **10**. 501, 505, 523, 553, 914, 925; on com. Prov. Cong., **10**. 522, 541, 543, 551.
to buy horses, **10**. 535.
to superintend printing of bills, **24**. 184.
Saunders, James, juror, **4**. 523.
Saunders, James, Jr., juror, **7**. 843, 844, 845, 846.
Saunders, Jesse, captain, **10**. 518, 520.
Saunders, Jesse, juror, **8**. 72.
Saunders, Jesse, resigns as captain, **10**. 568.
Saunders, Jno., army rank, **16**. 1163.
Saunders, John, claims, **3**. 282, 319.
Saunders, Jno., in militia, **22**. 350.
Saunders, John, pay to, **22**. 490.
Saunders, Josh., army rank, **16**. 1167.
Saunders, Moses, land grant to, **4**. 638, 641.
Saunders, Nathl., land grant to, **4**. 602.
Saunders, Nathl., pensioner, **22**. 86.
Saunders, Patrick, regulator, **7**. 808.
Saunders, Rich'd, in militia, **22**. 350.
Saunders, Richard, land grant to, **4**. 219.
Saunders, Richard, navigation coms'r, **25**. 107.
Saunders, Rich'd, quit rents of, **22**. 254.
Saunders, Wm., army rank, **16**. 1156.
Cont. lieut., **22**. 1049.
officer, **18**. 486.
Saunders, Wm., promoted, **17**. 142.
Saunders, Wm., exempted, **7**. 626.
Saunders, William Lawrence, 11. v.
death of, **11**. iii.
definition of colonial period by, **11**. vii.
has records copied, **11**. iii.
notes by, **9**. 1104 *note*, 1282; **10**. 14, 86, 152, 222, 870*a*, 870*f*.
on his own work as editor, **1**. vii-viii.
preface to Colonial Records, **1**. iii-viii.
prefatory notes to Colonial Records, **1**. ix-xxxiv; **2**. iii-xix; **3**. iii-xviii; **4**. iii-xxii; **5**. iii-lxi; **6**. iii-xxxv; **7**. iii-xxxiv; **8**. iii-xlviii; **9**. iii-xlvii; **10**. iii-xli.
supplement to work of, **11**. vii-viii.
Saunders' (Jos.), tobacco inspection at, **23**. 641, 792.
Saunders's Landing, inspection at, **23**. 641, 792; **25**. 379.
Saunderson. See Sanderson.
Saunderson (Saunders), Mr., keeps books, **1**. 858-859.
See also Sanderson, Richard.
Saunderson, Capt., 9. 1103.
Saunderson, Caleb, in army, **15**. 722.
Saunderson, Jonathan, quit rents of, **22**. 243.
Saunderson, Jos., quit rents of, **22**. 247.
Saunderson, Richard (Perq.), a J. P., **4**. 47.
in assembly, **6**. 356, 360, 362, 363, 365, 375, 392, 406, 421, 428, 430, 493.
quit rents of, **22**. 247.
Saunderson, Thos., quit rents of, **22**. 247.
Saunderson, Wm., in army, **13**. 521.
Sautee, Sesar, in army, **13**. 508.
Sauther, Capt., in Regulator campaign, **8**. 659.
Savage. See Savidge.
Savage, Mr., nearly killed by Indians, **7**. 207.
Savage, Hill, dismissed by court, **2**. 508, 557, 595.
doorkeeper to assembly, **2**. 575, 610.
juror, **3**. 53.
Savage, James, army pay, **17**. 251.
Savage, John, brother nearly killed, **7**. 207.
Savage, Lovelace, paid for slave executed, **19**. 516.
Savage, Lyas, army pay, **17**. 249.
Savage, Micaja, army rank, **16**. 1165.
Savage, Micajah, army pay, **17**. 249.
army rank, **16**. 1154; **17**. 1057.
Savage, Moses, army rank, **16**. 1164.
Savage, Ramm, army rank, **16**. 1160.
Savage, Ransom, in army, **13**. 509.
Savage, Robt., in militia, **22**. 373.
Savage, Robert, land grant asked, **4**. 708, 896.
rights proved, **4**. 705.
Savage, Thos., army rank, **16**. 1166.
prisoner, **15**. 393.
Savage, Wm., deposition on Pugh, **9**. 31.

Savage, Dr. Wm., **13**. 489.
allowance to, **13**. 908; for services to troops, **12**. 610.
buys clothing, &c., **13**. 29, 155.
Caswell on character of, **11**. 496.
claim, **9**. 489.
coms'r on navigation, **24**. 125.
goods seized, **12**. 624, 662, 741-742, 745.
Hawkins to report on transactions with, **13**. 891-892.
in Newbern, **13**. 155.
payment to for sundries for troops, **13**. 607, 609, 712, 720.
property of taken, **12**. 559; **13**. 47.
refuses to act as coms'r, **24**. 390.
stores to, **15**. 597.
supplies army, **16**. 485, 496.
to Burke on privateer and answer, **16**. 520-521.
to Caswell on clothing for troops, **13**. 287; on commissions for privateers, **14**. 106-107; on goods, **13**. 387; on goods seized, **14**. 266; on guns in Kinston, **13**. 91; on sale of goods, **13**. 18, 19.
Savage and Westmore, allowance to, **13**. 601, 712, 713, 715.
allowance to, **19**. 370.
Savage & Wetmore, import goods, **15**. 21-22.
Savage, sloop, trades to W. I., **10**. 969.
Savage's Green, Charleston, **15**. 42.
Savage's Lutheran Church, **8**. 781.
Savannah, Ga., **6**. 259; **8**. 589, 760, 765, 794; **10**. 343, 790; **11**. 158, 160, 168, 173, 186, 340, 365, 449; **13**. 342; **14**. 18, 43, 120, 312, 344, 747, 761; **15**. 265, 269, 317, 326, 382; **16**. 864, 877; **17**. 11, 158, 1029; **19**. 240; **20**. 720; **22**. 624; **25**. v.
attacked by Americans, **14**. 356.
British in, **16**. 502; capture, **13**. xii, 342; **14**. iii, 8, 18, 21, 254; **22**. 129, 130, 133; fleet arrives at, **14**. 748; land at, **15**. 346.
Cornwallis goes to, **15**. 18.
evacuated, **15**. 544; **16**. 630, 773; **22**. 615.
expedition against fails, **15**. 31.
fort needed at, **5**. 477.
Hamilton's regiment of N. C. at, **13**. vii.
invaded, **15**. 326.
invasion of threatened, **14**. 796.
Moravians in, **5**. 1144.
negroes stolen from, **16**. 646.
number Br. in, **14**. 505, 516.
post route continued to, **16**. 736.
powder to from S. C., **11**. 271.
threatened, **11**. xi, 271; **13**. 332, 333, 338.
treaty of, **10**. 119.
troops sent to, **14**. v.
Wayne besieges Br., **16**. 614.
Savannah Indians, correspondence with Cherokees, **5**. 612-613.
Savannah (Savana) River, **5**. xxxv, 1144; **6**. 260, 610, 611; **11**. facing 80, 157, 158, 178, 184, 190, 194, 201, 202, 226; **13**. xii; **14**. 33, 39, 78, 119, 269, 275, 276, 293, 335; **15**. 50, 263; **17**. 465; **19**. 957; **22**. 113, 122, 129, 133, 134, 144, 155, 185.
and Cherokee boundary, **7**. 207, 208, 852, 854.
and S. C. boundary, **2**. vii, viii; **5**. 382, 383, 384, 386, 390, 641, 784; **6**. 777, 779, 785, 794; **8**. 558, 559, 571.
British galleys attacked in, **14**. 312.
British troops bound to, **11**. 268.
Chickasaws settle on, **7**. 280.
governor proposed for territory beyond, **2**. 299-300.
limits S. C., **11**. 130, 150, 225.
Montgomery's proposed settlement on, **2**. 300-301.
possible additions to S. C. beyond, **6**. 1024.
proposition to settle poor debtors on, **3**. 195.
settlements on, **5**. 320, 472.
Swiss on, **4**. 159, 160.
unfit for Swiss, **4**. 161.
Savanoaks, Indian, **22**. 1002.
Savanuca, talk from laid before assembly, **12**. 821.
talk to from Caswell, **13**. 117-118.
to Caswell with talk, **13**. 90-91.
Savell, Marmaduke, in militia, **22**. 496.
Savidge. See Savage.
Savidge, Fran., in militia, **22**. 285.
Savidge, Izac, in militia, **22**. 330.
Savidge, Wm., in militia, **22**. 284.
Savil, Dan., juror, **25**. 188.
Savile, Marmaduke, juror, **4**. 520.
Saving lots in towns, requirement for, **25**. 241, 248-9.
See, also, under names of towns, acts of incorporation.
Savitz Church, history, **8**. 747-748, 749, 750.
Savory, Capt., sloop of captured, **13**. 96.

Savory, Jas., army rank, **16**. 1161.
Savoy, the, **8**. 632.
Sawmill River Bridge, **12**. 517.
Sawmills, **3**. 458.
amount of lumber cut, **5**. xlii.
considered, **8**. xlvi-xlvii.
erected, **3**. xv, 369, 427, 432; **4**. 61; to save tract of land, **4**. 220.
order on taking up lands near, **4**. 224.
report on, **6**. 1030; **7**. 430, 440, 546.
reward for, **9**. 1130.
to be erected, **4**. 52.
Sawer. See Sawyer.
Sawer, Chas., juror, **25**. 188.
Sawer, Dan., juror, **25**. 188.
Sawer, Hen., juror, **25**. 188.
Sawer, Jacob, juror, **25**. 187.
Sawer, Jno., in militia, **22**. 348.
Sawer, Peter, juror, **25**. 188.
Sawer, Robert, Jr., juror, **25**. 188.
Sawer, Robt., Sr., juror, **25**. 187.
Sawer, Sol., juror, **25**. 188.
Sawer, Thos., juror, **25**. 187.
Sawer, Wm., juror, **25**. 188.
Sawers, **14**. 647.
Sawing logs, as a punishment, **1**. 941.
Sawing lumber, contract for, **1**. 416, 437.
Sawlin, John, court martialed, **12**. 545.
Sawney's Creek, **17**. 1032.
Sawra (Saraw, Sauro, Saras, Sarah, Saura, Sawraw) Indians, abandoned fields of, **2**. 793.
armed from Va., **2**. 252.
depredations of, **2**. 246-247.
expected to fall on King Blunt, **2**. 289.
kill Va. traders, **2**. 289.
sell slaves, **2**. 252.
to be settled at Enoe, **2**. 242-243.
war with, **2**. 243, 246-247, 251.
Sawra (Saura) Town, **2**. 778, 794; **5**. 1147; **18**. 497; **22**. 535; **23**. 919.
Sawseekaw, at Indian Congress, **11**. 179.
Sawta, **17**. 586.
Sawthall, Henry, pensioner, **22**. 86.
Sawyer. See Sawer, Sayer.
Sawyer, ——, horse impressed, **22**. 592.
Sawyer, Gov., **10**. 894.
Sawyer, Alex., in militia, **22**. 347.
Sawyer, Benj., juror, **4**. 518.
Sawyer, Benj., quit rents of, **22**. 250.
Sawyer, Caleb, a J. P., **4**. 813.
in assembly, **3**. 612, 634, 635; **4**. 115, 118, 127, 128, 493, 554, 652.
juror, **4**. 518; **25**. 187.
quit rents of, **22**. 250.
warrant against, **4**. 750.
Sawyer, Caleb, in militia, **22**. 347.
Sawyer, Charles, a J. P., **4**. 346, 895.
in assembly, **3**. 543, 544, 545, 546, 561, 562, 573, 577, 578, 596, 612, 634, 635; **4**. 115, 118, 127.
juror, **4**. 518.
on com. of assembly, **3**. 640.
Sawyer, Chas., in militia, **22**. 347.
Sawyer, Chas., quit rents of, **22**. 250.
Sawyer, Daniel, in assembly, **4**. 115, 118, 127, 128.
juror, **4**. 518.
quit rents of, **22**. 250.
Sawyer, Dempsey, claims, **9**. 591; allowed, **9**. 224.
coroner, **9**. 459.
in assembly, **16**. 1; **19**. 233.
Sawyer, Demsey, a J. P., **23**. 995.
Sawyer, Dennis, in militia, **22**. 347.
Sawyer, Ebenezer, owes state, **21**. 1076.
Sawyer, Enoch, act for him to build road, **24**. 635-6; **25**. 103-4.
bill to build road, **19**. 533, 535, 551, 556, 592, 661; **21**. 754, 758, 768, 772, 903, 904, 910, 919, 922, 923, 925, 928, 949.
claim paid, **19**. 692, 693.
goods impressed, **15**. 524.
in assembly, **17**. 264, 266, 293, 304, 354, 359, 364, 365, 366, 368, 387, 394, 395, 400, 406, 412, 425; **19**. 489, 493, 500, 505, 519, 608, 613, 618, 622; **20**. 119, 121, 127, 167, 229, 238, 239, 240, 246, 285, 287, 310, 483, 550; **21**. 1, 3, 12, 47, 52, 66, 68, 74, 77, 102, 109, 115, 121, 133, 160, 168, 178, 179, 184, 189, 193, 195, 198, 233, 264, 294, 305, 332, 344, 345, 367, 379, 402, 403, 404, 411, 431, 714, 738, 789, 812, 871, 873, 876, 927, 930, 937, 941, 952, 965, 970, 977, 980, 999, 1004, 1012, 1013, 1015, 1030, 1032, 1050, 1055.
in conv. 1788, **22**. 2, 4, 25, 27, 29, 32.
in conv. 1789, **22**. 36, 47, 48.
on com. of assem., **17**. 298.
school trustee, **25**. 18.
Sawyer, Henry, army rank, **16**. 1152.
Sawyer, Henry, vestryman, **2**. 209; **23**. 7.
Sawyer, Isaac, a J. P., **23**. 995.
Sawyer, Isaac, in militia, **22**. 352.
Sawyer, Jacob, quit rents of, **22**. 250.

Sawyer, Jas., in militia, **22**. 347.
Sawyer, Jas., juror, **25**. 187.
Sawyer, Jeremiah, quit rents of, **22**. 251.
Sawyer, John, in assembly, **3**. 543, 544, 545, 546, 561, 562, 573, 577, 578, 596, 612.
Sawyer, John, in assem., **7**. 321, 342, 343, 398, 559, 561, 581, 582, 594.
Sawyer, Jno., in militia, **22**. 347.
Sawyer, Jno., in militia, **22**. 347.
Sawyer, John, quit rents of, **22**. 250.
Sawyer, John, Jr., resists payment of fines, **2**. 59, 113.
Sawyer, John, Sr., resists payment of fines, **2**. 59, 113.
Sawyer, Jos., in militia, **22**. 347.
Sawyer, Jos., in militia, **22**. 350.
Sawyer, Jos., in militia, **22**. 351.
Sawyer, Jos., in militia, **22**. 352.
Sawyer, Joseph, pensioner, **22**. 85.
Sawyer, Jos., quit rents of, **22**. 250.
Sawyer, Joshua, in militia, **22**. 352.
Sawyer, Joshua, juror, **4**. 519.
Sawyer, Lemuel, a J. P., **23**. 995.
claims allowed, **6**. 740; **22**. 831.
co. coms'r, **24**. 27.
in assem., **6**. 846, 847, 856, 863, 886, 893, 902, 903, 910, 912, 923, 926, 931, 932, 957; **9**. 448, 449, 588; **18**. 226, 228, 284, 311, 312, 317, 344, 345, 346, 351, 360, 361, 362, 376, 389, 429, 440, 443, 445, 449, 469, 470, 471, 478.
in Prov. Cong., **10**. 915, 937.
on com. of assembly, **9**. 381, 450, 451; on com. of assem., **18**. 30, 37, 51, 263, 267, 283, 292.
on com. of Prov. Cong., **10**. 919.
payment to, **13**. 349, 350.
Sawyer, Levy, **16**. 1153.
army rank, **13**. 481; **16**. 1153.
Sawyer, Miller, in army, **15**. 732; **16**. 1157.
reënlists, **15**. 750.
Sawyer, Richard, in militia, **22**. 347.
Sawyer, Robt., in militia, **22**. 347.
Sawyer, Robert, resists payment of fines, **2**. 59, 113.
vestryman, **23**. 7.
Sawyer, Sir Robert, instructed to prosecute quo warrantos against proprietary colonies, **1**. 353.
Sawyer, Samuel, commissioner on estate of Macknight, **12**. 68.
Sawyer, Sam'l, in militia, **22**. 347.
Sawyer, Solomon, in militia, **22**. 347.
Sawyer, Solomon, quit rents of, **22**. 250.
Sawyer, Thos., army rank, **16**. 1156.
Sawyer, Thomas, claims allowed, **5**. 977; **22**. 831.
in assembly, **6**. 846, 847, 856, 863, 886, 893, 902, 903, 910, 912, 923, 926, 931, 932, 957, 1152.
Sawyer, Thos., in militia, **17**. 1054.
Sawyer, Thos., in militia, **22**. 345.
Sawyer, Thos., in militia, **22**. 347.
Sawyer, Thomas, juror, **4**. 518.
Sawyer, Thomas, land lapses, **2**. 356.
Sawyer, Thos., quit rents of, **22**. 251.
Sawyer, Thos., vestryman, **23**. 7.
Sawyer, Thomas, Jr., juror, **4**. 519.
Sawyer, Thos., Sr., quit rents of, **22**. 250.
Sawyer, Truman, in militia, **22**. 347.
Sawyer, Tulley, in militia, **22**. 347.
Sawyer, Wm., army rank, **16**. 1153.
Sawyer, Wm., quit rents of, **22**. 250.
Sawyer, Willis, army pay, **17**. 249.
army rank, **16**. 1157.
Sawyer, Zachariah, in militia, **22**. 347.
Sawyer, a, ment'd, **2**. 84.
Sawyers, John, officer, **22**. 701.
Sawyers, Jos., army rank, **16**. 1164.
Sawyer's Creek, inspection at, **23**. 641, 792.
Sawyer's Creek Church, **5**. 1180.
Sawyer's Ferry, act for road near, **24**. 635-6; **25**. 103-4.
Sawyer's Land'g (Chas.), quit rents paid at, **25**. 217.
Sawzer, Robert, vestryman, **2**. 209.
Sawzer, Thomas, vestryman, **2**. 209.
Saxa-Gotha, **11**. 114.
Saxapahaua River, **5**. 354.
Saxapahaw, **4**. 810, 811.
Saxapahaw lands, gotten by fraud, **3**. 502, 518.
Saxapahaw River, **5**. 354-355; **7**. 157; **18**. 602; **23**. 344.
no inhabitants west of, **4**. xi.
See also Haw River.
Saxby, Mr., **8**. 9.
Saxby, George, McCulloh complains of as receiver gen. of S. C., **11**. 108.
ordered to pay McCulloh, **5**. 616-617.
quoted on quit rents in S. C., **11**. 52.
resigns as receiver, **9**. 1001.
Saxe, Marshal, **5**. xiv.
Saxon, Benj., invited to town, **7**. 741.
Saxon, Charles, regulator, **7**. 813.
Saxon, Charles, to Tryon on regulation, **7**. 801-803.

Saxonian sail cloth, **16**. 922.
Saxons, land sold to, **1**. 756.
Saxony, **5**. 1153.
Saxton, Jas., army rank, **15**. 728; **16**. 1155.
Saxton, Jereh., army rank, **16**. 1152.
Saxton, Jer., juror, **25**. 188.
Saxton, Wm., army rank, **16**. 1160.
Sayer. See Sawyer.
Sayer, Dr., **3**. 372.
Sayer (Sawyer?), Charles, a J. P., **4**. 965.
in assembly, **3**. 265, 285, 286, 301.
Sayers, Lieut. Col., **12**. 472.
Sayers, David, army pay, **17**. 251.
Sayle, Wm., begins settlements in S. C., **2**. 839.
gov. of S. C., **1**. 207.
proprietors' commission to quoted, **4**. 287-289.
Sayle, William, prisoner, **17**. 1046.
Scaff, Jas., in militia, **22**. 352.
Scaff, Jos., army rank, **16**. 1166.
Scale, Wm., a J. P., **23**. 993.
supplies at house of, **17**. 699-700.
Scale, Willis, Tory and dropped as J. P., **12**. 99.
Scales, Alfred M., assistance rendered by in editing colonial records, **1**. viii.
Scales, James, Sr., pensioner, **22**. 86.
Scalf, James, army pay, **17**. 248.
Scalf, Jno., army rank, **15**. 727; **16**. 1159.
Scalilasken Ket-agusta (Scalilosken), makes treaty, **3**. 129-133.
Scalps, bounty for, **6**. xxxv, 266; **22**. 822, 826, 827; **23**. 517. 601; **24**. 15.
taken by Indians. **2**. 74; by whites, **2**. 19, 27.
to be taken, **1**. 880, 882.
Scammel, Alexr., reports on N. C. troops in Cont. Army, **13**. 366, 377, 391, 410, 423, 428, 445, 457, 458, 487-488, 503; on N. C. brigade, **15**. 768.
returns of on N. C. troops, **14**. 360-363, 365, 367-75.
Scammell, Col., position of regt. in army, **12**. 509.
Scammerhorn, Capt., **20**. 720.
Scandling, Michl., army rank, **16**. 1158.
Scandrett, Jas., army rank, **13**. 512; **16**. 1153.
Scanthen, Wm., army rank, **16**. 1156.
Scantlebury, Jacob, settler, **1**. 76.
Scantling, Michal, in army, **15**. 725.
Scantling (Scanthing), Patk., army rank, **15**. 718; **16**. 1155.
Scarboro, ——, law suit, **1**. 587.
Scarboro, Aughtlin, juror, **1**. 567.
Scarboro (Scarborrow, Scarborough, Scarbrough), Augustine (Austin), appraiser, **1**. 435.
enters land, **1**. 402.
juror, **2**. 83, 88, 89, 93, 95, 96.
land lapses, **2**. 312, 318.
law suit, **1**. 567.
power of attorney to, **2**. 149.
witness, **1**. 583.
Scarborou, John, juror, **1**. 588.
Scarborough, ——, **16**. 1000.
Scarborough, ——, seizes Long, **16**. 489-490.
Scarborough, Mrs., **17**. 123.
Scarborough, Col., quit rents of, **22**. 254.
Scarborough, —ftine, in militia, **22**. 496.
Scarborough, Benj., gun impressed, **22**. 414.
Scarborough, Edward, land warrant to, **6**. 770.
Scarborough, George, in militia, **22**. 497.
Scarborough, Jas., major, **20**. 273, 461.
pensioner, **22**. 85.
Scarborough, John, in militia, **22**. 497.
Scarborough, John, quit rents of, **22**. 250.
Scarborough, John, Jr., in militia, **22**. 497.
Scarborough, John C., aids in gathering and publishing records, **1**. vii-viii; **11**. v.
Scarborough (Scabro, Scarbrough, Scarbro), Machrora (Mackrora, McRora, McRoro), a J. P., **2**. 526, 773; **3**. 234, 346.
assistant justice, **3**. 376, 388-91, 423, 637; **4**. 591.
case put off till next court, **2**. 654, 660, 670, 705.
Castellaw complains against, **4**. 728-729.
claims for rent, **4**. 680-682.
commission as assistant justice, **3**. 493-494.
in assem., **2**. 575, 608, 623; **3**. 262, 278, 285, 286, 298, 314, 317; **4**. 372, 373, 391, 493, 501, 506, 555, 564, 651, 652, 720, 723, 725, 737, 749, 770, 773, 774, 775, 777, 783, 784, 818, 826, 829, 830, 1182.

in council, **3**. 209, 628, 629, 637.
juror, **2**. 463, 585; **4**. 517.
land grant to, **4**. 638.
marries widow Reed, **4**. 680.
on com. of assembly, **4**. 381, 389, 409, 476, 495, 502, 554, 555.
qualifies members of assembly, **3**. 637.
recommended for council, **3**. 435; **4**. 586.
reports on emission of loan money, **4**. 528.
resigns as treasurer, **4**. 730.
rights proved, **4**. 638.
summons for refused, **4**. 1206.
struggle over representation act, **4**. 1158, 1159, 1160, 1161, 1167, 1168-9, 1183-1188, 1203-4.
treasurer, **4**. 403, 404.
trial, **2**. 699-700. 705, 713; for forgery, **2**. 596, 599-601.
witness, **2**. 540, 542.
Scarborough, Nathan, army rank, **16**. 1166.
Scarborough, Saml., army rank, **16**. 1164.
Scarborough, Samuel, Sr., pensioner, **22**. 86.
Scarborough, Shad'k, army rank, **16**. 1164.
Scarborough, Stephen, arrested for passing counterfeit, **10**. 688.
Scarborough, Wm., a J. P., **23**. 995.
Scarbro, John, appraiser, **2**. 246.
Scarbro, Wm., appraiser, **2**. 246.
Scarbrough, David, exempted, **8**. 335.
Scarbrough, George, juror, **2**. 112.
law suit, **2**. 92-93, 109.
Scarbrough, Jas., in militia, **22**. 349.
Scarbrough, John, a J. P., **4**. 813.
Scarbrough, Rory, juror, **25**. 187.
Scarbrough, Wm., grand juror, **2**. 98.
Scarbrough, Wm., law suit, **2**. 93.
Scarbrow, Jno., in militia, **22**. 346.
Scarbrow, Jno., in militia, **22**. 348.
Scarfe, John, quit rents of, **22**. 250.
Scarff, Ed., in militia, **22**. 352.
Scarff, Israel, in militia, **22**. 352.
Scarff, Jona., in militia, **22**. 352.
Scarlet, James, a J. P., **23**. 995.
Scarlet, Jas., army rank, **16**. 1164.
Scarlet, Jno., in militia, **22**. 451.
Scarlet, John, released from jail, **14**. 403.
Scarlet, Stephen, in militia, **22**. 451.
Scarlet, Thos., army rank, **16**. 1165.
pensioner, **22**. 86.
Scarlet, Thos., released from jail, **14**. 403.
Scarlet, Wm., army rank, **16**. 1164.
Scarlett, Jas., petitions, **19**. 933, 935.
Scarlf, Samuel, army pay, **17**. 250.
Scarlock, Thos., made commissary, **13**. 901, 902, 993.
See also Scurlock.
Scarry, Jesse, takes oath, **22**. 172.
Scarsdale manor, 2. 190.
Scarsey, Asiah, army rank, **16**. 1163.
Scavils, Wm., in militia, **22**. 355.
Scay-agustu Ou Kah (Sky-agusta Oukah), makes treaty, **3**. 129-133.
Scellar, John, land grant to, **4**. 703.
Scellars, John, land grant to, **4**. 677.
Sceptics, 7. 193.
Scews, Wm., army rank, **16**. 1166.
Schann (Schaw?), S., useful, **22**. 537.
Schard, Robert, nominated for council, **9**. 974.
Schaw. See Shaw.
Schaw, ——, 16. 972.
Schaw, Col., 22. 443, 484.
provision returns, **22**. 465, 466, 469, 477, 478.
rations to, **22**. 269.
Schaw, Alex., 10. 247.
goes to Eng. for Martin, **10**. 96.
report ment'd, **10**. 232.
to report on loyalty in N. C., **10**. 70-71.
Schaw, Daniel, reports on McRee's company, **15**. 720-721.
Schaw, Robert, a J. P., **6**. 1070; **7**. 702.
at council of war, **7**. 842.
petition on cattle and hides, **5**. 745-746.
promoted lt. col., **7**. 832.
surety, **9**. 72, 73.
Schaw, Robert, a J. P., **23**. 993.
bill to sell lands of, **18**. 177, 391.
Schaw, Robert, pays for horse, **22**. 431.
Scheaffer, Mrs., marries Loretz, **8**. 754.
Scheaffer family, 8. 734, 735.
Scheck, Rev. John D., sketch, **8**. 795.
Scheelbeeck and Marshal, 22. 601.
See also Schelebeek and Mailhol.
Scheibe, Jacob, land grant to, **4**. 329.
Scheibleri (Scheiblus), Liber Comment., &c., **2**. 584.
Scheldt, 17. 188.
Schelebeek, S., and Mailhol, **19**. 647; **22**. 601.
invoice to, **19**. 879-880.

Schenck, D., note by, **15**. 431.
quoted on Loretz, **8**. 755-756.
Schenckingh, Benj., in assembly, **2**. 258.
Schender, Isaac, quit rents of, **22**. 243.
Scherer, ——, schoolmaster, **8**. 735.
Scherer, Rev., missionary tour of, **8**. 777.
Scherer, Rev. Daniel, **8**. 792.
delegate to Episcopal convention, **8**. 791.
pastor of Lutheran churches, **8**. 786, 787.
Scherer, Rev. Gideon, sketch of, **8**. 794.
Scherer, Jacob, delegate to Episcopal convention, **8**. 791.
ordained, **8**. 777.
pastor of Lutheran churches, **8**. 782.
Schickhard's Howlogicum Hebraicum, **2**. 584.
Schism Act, and Queen's College, **8**. 488.
and school house in Edenton, **7**. 598, 600, 632-633.
enforced, **8**. 6; in New Bern school, **23**. 679; in 1770, **23**. 823.
provision for enforcement of, **3**. 111; to be inserted in New Bern school house bill, **7**. 316, 318, 391-392, 432.
to be enforced, **5**. 1137.
Schlatter, ——, a patriot, **8**. 733.
Schlotterer, Jacob, takes oath, **22**. 168.
Schlotterer, Jacob, Sr., takes oath, **22**. 169.
Schlump, Martin, schoolmaster, **8**. 748.
Schmetter, Wm., **8**. 749.
Schmucker, Rev. J. G., **8**. 777.
Schmucker, Rev. J. P., licensed, **8**. 778.
Schneider, Rev. ——, organizes Beck's church, **8**. 742.
pastor of German Reformed churches, **8**. 751; of Pilgrim Church, **8**. 743.
Scholauetta, signs treaty, **17**. 585.
School houses, assembly meets in, **7**. 923, 984, 985.
being built in Newbern, **7**. 98.
bill to erect in Edenton, **4**. 783, 786, 787, 788, 790; **7**. 561, 562, 563, 586, 587, 588, 589, 591, 598, 600, 632-633; in Newbern, **7**. 303, 305, 309, 310, 316, 318, 339, 354, 363, 365, 369, 380, 381, 391-392, 396, 420, 432, 433; to vest s. h. in Edenton in trustees, **7**. 900, 901, 904, 909, 921-922, 942-943, 947, 948, 953, 954, 970, 978; **8**. 299, 301, 339, 342, 343-344, 347, 355, 366, 384, 387, 409, 438, 477.
built at Wachovia, **5**. 1150; for Creeks, **5**. 1144; in Lincoln County, **8**. 751.
condition, **7**. 241.
hindrances to, **7**. 154.
law to levy tax for, **6**. xxxii.
Lutheran church, **8**. 776.
note on act to vest Edenton s. h. in trustees, **8**. 6-7.
used by assembly, **9**. 371; in Newbern, **9**. 224, 226, 590, 953.
Schoolfield, Benj., army rank, **16**. 1157.
Schoolmasters, **7**. 689, 750; **10**. 674.
Boyes, **11**. 753.
Clifton, **11**. 657.
com. goes to Germany for, **8**. 771.
difficulty of securing, **6**. 223.
Dobbs to assembly on and answer, **6**. 804, 810.
education of, **8**. 768.
exempted from drafts, **10**. 563; from musters, **23**. 597, 761, 941.
Greene, **8**. 509.
Howell, **8**. xxvi.
in demand, **8**. 739.
instructions on, **5**. 1137.
lack of, **5**. 314, 315.
must have license of Bp. of London, **3**. 111.
need of, **2**. 76, 126, 137, 245; **4**. 753.
request for, **2**. 228.
results of lack of, **6**. 709, 710.
settled in Chowan Co., **1**. 712.
to be licensed by Bp. of London, **6**. xxx.
turn Quaker, **1**. 721.
wanted by Lutherans, **8**. 631; in Rowan, **8**. 507.
wounded by Indians, **22**. 778.
Schools, **11**. 498; **18**. 535; **19**. 899.
act for recommended, **6**. 839, 841; in Edenton, **23**. 232-3, 338, 823; in Newbern, **23**. 631, 780, 915; **25**. 484-5, 516; to establish, **24**. 534-5, 607-9, 825; on ment'd, **6**. 1006; on money for, **23**. 712; to erect schoolhouse, **23**. 678-80; to save lots for in Newbern disallowed, **8**. 616; **11**. 236.
advocated by Lutherans, **8**. 777.
among German immigrants, **8**. 731; Lutherans, **8**. 760, 761, 762.
appropriation for, **5**. xxv; **9**. xli.
assembly on, **6**. 810; requests that

money for be replaced, **6**. 988-9.
bills for, **18**. 25, 37, 38, 40, 44, 45, 46, 52, 63, 79, 88, 89-90, 111, 112-113, 116, 117-118, 143, 147, 158, 212, 259, 267, 270, 275, 276, 278, 284, 285, 292, 293, 297-298, 302, 314, 317, 318, 327, 328, 329, 340, 344, 345, 367, 378, 379, 380, 392, 398; for buildings for, **6**. 1105, 1111, 1113, 1120, 1145, 1173, 1174, 1177, 1182, 1189, 1192, 1196; for erection of, **13**. 565, 566, 576, 580, 581, 588, 598, 669, 679, 686, 687, 699, 703, 756, 809, 810, 866, 876, 902, 957, 958, 959, 993; for house for in Newbern, **9**. 386, 388, 392, 442, 466, 468, 472, 474, 481, 483, 583, 658; in Granville Co., **12**. 704; to erect free s., **4**. 977, 979, 980, 990, 993, 994, 1321, 1322, 1335, 1337; to incorporate Liberty Hall Academy, **12**. 35, 41, 49, 86, 88, 113; to save lots and collect subscriptions for in Newbern, **7**. 903, 905, 906, 908, 921, 951, 953, 954, 956, 957, 970, 978.
condition in Newbern, **9**. 6.
character of those desirable discussed, **6**. 5.
Dobbs on need of and answer, **6**. 1219, 1261.
efforts for, **2**. 120.
encouragement of needed and answer, **6**. 450, 473, 477.
endowment for, **23**. 394.
erected by Lutherans, **8**. 768.
erection opposed, **4**. 178.
established by law, **7**. 458; in Pasquotank Co., **1**. 714.
for Catawbas, **6**. 1041.
for Indians and negroes, **6**. 996.
free grant for, **6**. 5; provisions promised, **5**. 1095; request that part of grant be applied to, **6**. 3, 5.
funds for, **6**. 619; **25**. 235; needed, **6**. 1091, 1154*a*; used against Cherokees, **6**. 219; used for courts and war, **6**. 657, 658, 661, 686, 691; used for French war, **5**. 573, 640, 749; used for war purposes, **6**. 150, 151, 153, 207; **25**. 394-5; used to garrison forts, **6**. 831.
German Reformed Church, **8**. 732-733, 734, 735.
German school in Mecklenburg Co., **8**. 748, 749.
grammar, in west, **8**. 487.
in Brunswick, **4**. 755.
in Chatham, **11**. 830.
in Mecklenburg, **13**. 374, 382.
in Newbern, **6**. 1048; **7**. 98, 104; **9**. 310; **13**. 335-336; **14**. 128; bill for, **7**. 266.
in S. C., **15**. 392.
income in Newbern for 3 years, **9**. 271-273.
incorporated in Granville Co., **14**. iv.
Johnston goes to school, **22**. 288.
lack of, **6**. 1026; causes troops to desert, **6**. 221.
lands for in Hillsboro, **25**. 501.
length of time taught in Newbern, **9**. 241.
long established in western N. C., **25**. 519*d*.
Mashburn's at Sarum, **1**. 859.
memorial on salary for teacher, **7**. 35-36.
Moravian, for girls, **5**. 1160-1.
need of, **5**. 496-497, 1095; **6**. 241, 1040; **7**. 104.
negro, **7**. 163.
Newbern school trouble, **9**. 238-43, 245-8, 281, 317-318; Martin on, **9**. 305, 307.
none in Chowan, **2**. 119.
of Alexander & Benedict, **5**. 1225.
of Presbyterians, **5**. 356.
on Cape Fear, **16**. 993.
opened by Blythe in Newbern, **13**. 461.
opening in Wilmington, **9**. 239.
organized by Caldwell and others, **5**. 1219-1220.
petition on notes for, **6**. 1036-1037.
poll taxes to be laid for, **23**. 605.
power to maintain in vestrys, **6**. 1027.
proposed by Earle, **6**. 241; for Giffard, **7**. 786.
provided by Constitution, **10**. 1012.
public, act to save lots for discussed and to be disallowed, **8**. 266, 276-277; bill to encourage, **6**. 1264; emissions for, **8**. 213; sermon by Reid on, **6**. 955.
report on in Newbern, **7**. 750.
schism act enforced in New Bern, **23**. 679.
seminaries established by the Constitution, academies not be considered as such, **24**. 607, 609, 692, 866, 869, 870, 980, 985; **25**. 19.
should be established, **6**. 116, 134, 139, 142; **23**. 984.

source of support for that of Newbern, **9**. 239.
sum appropriated for, **7**. 73, 106.
tax for, **5**. xxv, 949; **6**. 710, 1036, 1041, 1049.
teachers and pastors brought from Europe, **8**. 762, 763.
to be encouraged, **5**. 315.
to be erected, **3**. 112; in Franklin, **22**. 670.
would be encouraged by presence of a bishop, **6**. 222.
See also Academies, Education, Seminaries, University of North Carolina.
Schornbrun, reserved for Indians, **17**. 457.
Schribee, Jacob, prisoner, **16**. 672.
Schrum, ——, pastor of German Reformed churches, **8**. 751.
Schull, Henry, **8**. 776.
Schulz, Jacob, Indian ranger, **2**. 275.
Schupping family, **8**. 748.
Schuyler, ——, in C. C., **15**. 367.
Schuyler, Col., reports from Five Nations, **2**. 24.
Schuyler, Gen., **10**. 890; **17**. 433.
coms'r on capital, **17**. 606.
court martialed, **13**. 244.
sends clothes to troops, **11**. 477.
Schuylkill Co., Pa., **8**. 728.
immigrants from, **8**. 734, 737.
Schuylkill (Schoolkil) Falls, **12**. 480, 481.
Schuylkill Ferry, Pa., **9**. 1066, 1068, 1069.
Schuylkill (Schoolkiln) River, **11**. 623, 625, 631, 639, 660, 668, 696, 762, 782; **13**. 4, 131, 137, 262; **22**. 971, 973.
skirmish on, **11**. 822.
Washington crosses, **11**. 756.
Schweiniz, Hans Christian von, visits N. C., **5**. 1151.
Schweiszguth (Swicegood) Lutheran Church, **8**. 776.
Schwenck, Matthew, regulator, **8**. 736.
Schwutz (Schutz), Capt., wounded, **17**. 1005, 1014.
Schyler, Mr., **10**. 832.
Scibbo, Hen., in militia, **22**. 275.
Science Hall Academy, act for, **24**. 250-1, 605-7.
Scimshire, Jno., army rank, **16**. 1166.
Scioto (Sioto) River, **5**. 465.
lands for soldiers on, **16**. 892.
lands on reserved, **17**. 458.
Scipio, Tryon compared with, **8**. 640.
Scipio, Hill, army rank, **16**. 1164.
Scire facias, proposed proceeding under, **1**. 673.
provisions for, **24**. 53-4, 56, 60, 62; **25**. 277, 439, 447.
Scobe, Capt., threatens Fanning, **16**. 206.
Scobey, Rehert, petitions, **19**. 932.
Scoby, David, petition, **19**. 508.
Scoby, Jane, petition, **19**. 511, 570.
Scoby, John, payment to, **21**. 219, 221.
Scoby, Robert, ensign, **22**. 101.
payment to, **21**. 219, 221.
Scogalong, families at, **1**. 766.
See also Scuppernong.
Scoggin, Wm., sheriff, **21**. 1075.
Scoggins, Robt., pensioner, **22**. 85.
Scollar, Isaac, army rank, **16**. 1155.
Scolley, Mr., pays money for N. C., **5**. 795.
Scolley, Samuel, a J. P., **4**. 800.
juror, **4**. 522.
Scoot. See Scot, Scott.
Scoot, Andrew, petition on C. H., **9**. 806-807.
Scoot, Mathew, petition on C. H., **9**. 806-807.
Scoot (Scott), Mary, imported, **1**. 479.
Scorely, Capt., **22**. 217.
Scorpion, sloop of war, **10**. 69, 327, 388, 467, 486, 491; **11**. 259, 260, 261, 265, 268; **19**. 905.
in Cape Fear River, **22**. 751.
leaves N. C. coast, **5**. 30.
Martin on, **10**. 397, 398, 406, 407, 425, 442.
ordered back to N. C., **11**. 266.
Scorpion, ship, ordered to Ocacock, **4**. 1306.
sent to wreck of Spanish ship, **4**. 1309.
takes Spanish plate and cochineal to Europe, **4**. 1307, 1309, 1310.
Scorff River, fees on, **17**. 623.
Scot. See Scoot, Scott.
Scot (Scott), ——, land lapses, **2**. 318.
Scot, Benj., relief from, **4**. 626.
Scot, Charles, buys and sells land, **1**. 489.
imports persons, **1**. 479.
Scot, Charles, imported, **1**. 479.
Scot, Edward, land grant to, **4**. 349.
Scot, Elizabeth, imported, **1**. 479.
Scot, Gabriel, a J. P., **23**. 994.
Scot, Joshua, lands of, **1**. 427.
Scot, Richard, rights proved, **4**. 598.

Scot and Bogle, case of, **9**. 996.
Scotch, 5. 4, 5; **8**. 770; **15**. 395; **16**. 200.
active in Cumberland, **10**. 450.
arrival of, **9**. 259; of 700, **9**. 1159.
assistance to, **7**. 618, 653, 654, 659, 666.
British emissaries among, **9**. xxxv, xxxvi, xxxvii.
cash advanced for, **8**. 144.
control N. C. trade, **8**. 652-653.
disliked by English, **8**. 8.
encouragement to, **4**. 489-90, 512.
enlisted on the Pa. Farmer, **10**. 835.
enter Cape Fear River, **9**. 364.
feeling towards England, **10**. 267.
heighten difficulties, **11**. 545.
illegal trade of, **1**. 461, 466.
in battle of Stono, **14**. 130, 315.
in Cumberland Co., **5**. xxxix; **7**. 540.
in Moore's Creek battle, **10**. xxvi.
in N. C., **2**. 131.
in Wilmington, **10**. 48.
influence in N. C., **8**. 653.
insurrection of ment'd, **11**. 627, 628.
Johnston fond of, **4**. ix-x, 926.
land to refused, **9**. 303-304.
leave N. C., **11**. xviii, 743, 790.
loyal, **10**. xii, 406.
plunder whigs, **15**. 437.
plundered by Rand, **11**. 626-627.
Pollock a Scotchman, **10**. 1029.
Presbyterians on Cape Fear, **5**. 1194-1198.
Ramsey on bad character of, **14**. 543-544.
recruits from for Br. army, **10**. 409.
refuse oath, **11**. 560; **19**. 871.
released from tax, **9**. 251.
request changes in fundamental constitution, **2**. 843.
sell Indian slaves, **2**. 847.
settle in Cumberland, **8**. 526.
talk of with Stuart and Barnard, **11**. 167-169.
threaten Wilmington, **11**. 546.
to be barred out of A., **1**. 442.
to join British, **10**. 453.
turn tories, **11**. 278.
Scotch army, 10. 828.
Scotch goods, imported into Pa., **1**. 467.
Scotch gentlemen, 22. 550.
Scotch gratitude, 13. 459.
Scotch Highlanders, declare for neutrality, **10**. 266, 268.
Martin on position of in N. C., **22**. 616-18.
Scotch-Irish, 5. 5.
fears for loyalty of to N. C. discussed, **10**. xxxii.
intermarry with Germans, **8**. 780.
pioneers, **5**. xl.
reasons for, **5**. xl.
settle in N. C., **5**. 1214, 1225.
value to N. C., **8**. 729.
Scotch-Irish Presbyterians, settlement of, **5**. 356.
Scotch merchants, compelled to join patriots, **10**. 236.
Scotch rebellion, 4. 793, 926.
E. Porter in, **3**. 123.
end of, **4**. 815, 818-19.
Scotch rebels, Palatines said to have been turned out for, **4**. 1087, 1148.
to be settled on lands of Swiss, **4**. 956.
Scotch refugees, join Br. in Portsmouth, Va., **15**. 144.
Scotch Seceders, 5. 1189.
Scotch settlements, Br. in, **22**. 617.
tory, **19**. 983.
Scotch settlers, come into N. C., **4**. viii-ix.
Scotch snuff, 16. 949.
Scotch tories, 22. 97.
insurrection of, **22**. 136, 145.
Scotch trade, favored in America, **1**. 468, 469.
frauds in, **1**. 245.
Scotch Trading Co., Privy Council on, **1**. 458-459.
Scotland, 2. 276, 277, 278; **4**. 270, 288, 954, 1148, 1312; **5**. iii, xii, xix, xl, 1220; **7**. 864; **8**. 770; **9**. 997, 1086, 1094, 1206; **10**. 13, 823, 1015, 1023; **13**. vi, 387, 465; **16**. 255, 256, 505; **18**. 621; **19**. 880; **20**. 622, 663, 664; **22**. 235, 293, 550, 1007.
com. to confer with immigrants from and explain troubles to, **10**. 173-174.
established church of, **5**. 1220; **10**. 1015, 1016.
history of by Robertson (Robinson), **22**. 885.
illegal trade to, **1**. 461.
immigrants from, **4**. 489; loyal to King, **10**. 45-47, 324-325, 327; passed on to N. C., **10**. 346.
may export horses direct, **1**. 501.
methods of to be introduced into A., **1**. 474.
names of immigrants from, **7**. 543-544.

natives of leave N. C., **13**. 368.
Presbyterians from, **5**. 1194, 1196, 1198.
prize from, **15**. 69, 71, 72.
proposed immigration from, **8**. 620, 621-622, 629.
rents paid in produce, **2**. 849.
servants and horses from, **3**. xvi.
soldiers from desert, **11**. 834.
tobacco carried to, **1**. 547.
troops from, **14**. 599.
trade to from Pa., **1**. 467.
trade with Amer. colonies, **1**. 439-442; with N. C., **9**. 628.
vessel from captured, **15**. 78.
Scot's Company, cheated, **2**. 912.
Scot's Magazine, extract from on King's Mtn., **15**. 183.
Scot's place, 10. 895.
Scot's Plains, 14. 231.
Scott. See Scoot, Scot.
Scott, ——, dispute of settled, **12**. 477.
Scott, ——, escapes, **1**. 159.
Scott, Mr., 22. 621.
Scott, Mr., claims settled, **11**. 745.
Scott, Miss, 22. 621.
Scott, Mrs., 22. 621.
Scott, Capt., 9. 1207.
Scott, Capt., asks pardon of McGonnigal, **12**. 540.
Scott, Capt., commands guard, **14**. 576.
Scott, Capt., life threatened, **12**. 532.
Scott, Col., to Southall on capture of Norfolk, **11**. 353.
Scott, Lieut. Col., 11. 275.
Scott, Abm., army rank, **16**. 1166.
Scott, Adam, army rank, **13**. 508; **16**. 1160.
Scott, Affee, slave, **22**. 621.
Scott, Miss Ann, marries, **22**. 621.
Scott, Andrew, a J. P., **5**. 992.
allowance to, **22**. 819, 822.
memorial on school, **7**. 35-36.
takes deposition, **6**. 276.
Scott, Archie, to Burke on his escape, etc., **22**. 620-21.
Scott, Bartholomew, assaulted, **2**. 696.
dismissed by court, **2**. 599, 602.
wife tried for forgery, **2**. 597, 601.
Scott, Bess, slave, **22**. 621.
Scott, Bob, tried, **20**. 9.
Scott, Charles, imported, **1**. 654.
Scott, Brig. Gen. Charles, 12. 464, 472, 497, 501, 502, 504, 505, 530, 534, 548; **13**. 384; **14**. 127; **16**. 588.
at council of officers, **15**. 27-29.
at council of war, **14**. 801, 805-806, 813-814.
brigade ordered south, **15**. 26, 33, 350, 363.
composition and position of brigade, **12**. 508, 509.
court of inquiry to be held on, **14**. 353.
letter of credit to, **15**. 575.
location, **13**. 496.
prisoner, **14**. 815.
to be exchanged, **16**. 675.
Scott, Dennis, army rank, **16**. 1164.
Scott, Dennis, army rank, **16**. 1165.
Scott, Dick, slave, **22**. 621.
Scott, Drewry, army rank, **16**. 1166.
Scott, Edward, asks for lapsed patent, **2**. 453.
Scott, Edward, claims allowed, **22**. 403.
Scott (Scot), Edward, holds land, **2**. 318.
Scott, Ed., in militia, **22**. 351.
Scott, Edward, juror, **4**. 519; **25**. 187.
land grant to, **4**. 334.
Scott, Ed., quit rents of, **22**. 250.
Scott, Elizabeth, imported, **1**. 654.
Scott, Elizabeth, suit in name of, **2**. 427, 454-456, 462.
Scott, Emanl., army rank, **16**. 1162.
Scott, Flora, slave, **22**. 621.
Scott, Hamilton, counterfeiter, **22**. 401.
Scott, Henry, 21. 679, 680.
Scott, Henry, court martialed, **12**. 514.
Scott, Henry, owes state, **21**. 1071.
sheriff, **21**. 1075.
Scott, Isaac, army rank, **16**. 1165.
Scott, Isham, pensioner, **22**. 84.
Scott, Isham, timber getter, **15**. 619.
Scott, Isom, army rank, **16**. 1164.
Scott, Israel, army rank, **16**. 1160.
Scott, Jas., army rank, **16**. 1153.
Scott, Jas., army rank, **16**. 1165.
Scott, James, in militia, **17**. 1060.
Scott, Jas., in militia, **22**. 357.
Scott, James, petitions on land grants, **9**. 1260-1263; **11**. 250-254.
Scott, James Tooke, suit in name of, **2**. 427, 454-456, 462.
Scott, Jenny, slave, **22**. 621.
Scott, Jo., skirmish near house of, **15**. 138.
Scott, John, army pay, **17**. 247.
army rank, **16**. 1154.
claim allowed, **18**. 318.
coms'r on town, **24**. 857; to settle claims, **21**. 184.
in assembly, **18**. 227, 228, 257, 284,

287, 297, 311, 312, 317, 344, 345, 346, 350, 357, 360, 361, 362, 376, 389, 399, 412, 429, 443, 468, 469, 470, 471; **20**. 120, 121, 167, 180, 229, 238, 239, 240, 246, 276, 285, 287, 288; **21**. 15, 47, 52, 66, 68, 74, 77, 115, 121, 168, 191, 194, 195, 207, 211, 212, 234, 264, 273, 288, 294, 305, 332, 344, 356, 432, 433, 578, 582, 583, 627.
in conv. 1788, **22**. 3, 5, 25, 27, 30, 32, 35.
in conv. 1789, **22**. 38, 46, 49.
on com. of assem., **18**. 33, 54, 262.
Scott, John, favors securing colonial records, **1**. iv.
Scott, John, land grant to, **4**. 349.
Scott, John, pensioner, **22**. 85.
Scott, John, prisoner, **17**. 1045.
Scott, John, sues executors, **2**. 427, 454-456, 462.
Scott, Joseph, **1**. 319.
Scott (Scot), Joseph, signs Quaker petition, **1**. 252.
visited by Fox, **1**. xx, 217.
Scott, Joseph, asks Tryon for peace for regulators, **8**. 640-641.
Scott, Jos., in militia, **22**. 350.
Scott, Jos., juror, **4**. 521.
Scott, Joseph, petitions for pardon of Fields, **9**. 41.
Scott, Jos., quit rents of, **22**. 243.
Scott, Joshua, in militia, **22**. 351.
Scott, Joshuah, petition, **1**. 305-306.
Scott, Margaret, tried for felony, **2**. 596, 597, 601.
Scott, Mary, imported, **1**. 654.
Scott, Mary, suit in name of, **2**. 427, 454-456, 462.
Scott, Michl., army rank, **16**. 1161.
Scott, Nancy, slave, **22**. 621.
Scott, Nat, slave, **22**. 621.
Scott, Nathl., army rank, **16**. 1161.
Scott, Nehemiah, land grant to, **4**. 952.
Scott, Overstreet, army pay, **17**. 249.
Scott, Philip, army rank, **16**. 1161.
Scott, Richd., in militia, **22**. 274.
Scott, Rich'd, in militia, **22**. 386.
Scott, Richard, land grant to, **4**. 619, 712, 851.
Scott, Robert, act to appoint as harbor master, **25**. 57.
Scott, Robert, gives power of attorney, **1**. 427.
law suit, **1**. 433.
petitions against Culpeper rebellion, **1**. 305-306.
Scott, Robert, Jr., on Tryon S. C., **10**. 296, 297.
Scott, Samuel, **21**. 58, 59; **24**. 972.
Scott, Samuel, act for land to, **24**. 629-30.
land grant to, **19**. 572.
Scott, Saml., army rank, **16**. 1162.
Scott, Saml., army rank, **16**. 1164.
Scott, Samuel, asks pay for negro executed, **17**. 279.
slave tried, **20**. 9.
Scott, Sarah, suit in name of, **2**. 427, 454-456, 462.
Scott, Severn, in militia, **17**. 1055.
Scott, Stephen, declaration of, **1**. 596.
delegate of Quakers, **1**. 665.
on building committee, **1**. 656.
Quaker meeting at house of, **1**. 551, 552.
statement of ment'd, **1**. 628.
Scott, Stephen, in militia, **22**. 351.
Scott, Stephen, indentured servant, **2**. 42.
Scott, Stephen, Jr., juror, **1**. 399.
law suit, **1**. 399.
to appraise land, **1**. 399.
Scott, Stephen, Sr., land lapses, **2**. 724.
Scott, Sterling, army rank, **16**. 1160.
in Davidson's co., **14**. 294.
Scott, Thomas, army pay, **17**. 246.
army rank, **16**. 1153.
Scott, Thos., army rank, **16**. 1166.
Scott, Thos., in army, **13**. 522.
Scott, Thomas, killed, **22**. 127.
Scott, Thos., suit in name of, **2**. 427, 454-456, 462.
Scott, Thomas, voter, **15**. 237.
Scott, Wm., act to quiet in possession of lands, **24**. 972.
bill to quiet title of, **20**. 532, 555, 561; **21**. 78, 87, 111, 116.
petition, **20**. 500; **21**. 35, 37, 58-59.
Scott, Wm., army pay, **17**. 247.
army rank, **16**. 1160.
Scott, Wm., army rank, **16**. 1160.
Scott, Wm., army rank, **16**. 1161.
Scott, Wm., asks pardon for regulators, **9**. 98-99.
Scott, Wm., case of, **21**. 866, 1054, 1080.
Scott, Wm., exempted from tax, **17**. 405, 417; **20**. 107.
Scott, Wm., in army, **13**. 521.
Scott, Wm., in army, **15**. 740.
Scott, Wm., in Davidson's co., **14**. 294.
Scott, Wm., juror, **4**. 518.
Scott, Wm., juror, **4**. 520.

Scott, Wm., quit rents of, **22**. 247.
Scottish Isles, immigrants from, **9**. 259.
Scotton, Samuel, prisoner, **17**. 1045.
Scotton, Miles, settler, **1**. 76.
Scotts, the, **9**. 995.
Scott's Creek, **10**. 713.
Scott's Ferry, S. C., **15**. 30.
Scouls, Joseph, exempted, **6**. 807.
Scourge, the, threatens Wilmington, **14**. 748-749.
Scovilites, expedition against, **10**. 340-341, 356; **19**. 975; **22**. 730.
Rutherford goes against, **11**. xiv.
Scrags, John, petitions on land grants, **11**. 250-252.
Scranton, Ebenezer, relief granted to surety, **8**. 445.
Screat, Joseph, petition on separation, **22**. 705-11.
Screw, Jos., army rank, **16**. 1164.
Screwins, Isaac, land grant to, **4**. 1040.
Scriggs, Richd., army rank, **16**. 1165.
Scriven, James, army pay, **17**. 247.
Scrivens, Isaac, land grant to, **4**. 1043.
Scroggs, Jeremiah, pensioner, **22**. 87.
Scroggs, John, pensioner, **22**. 84.
Scrope, Mr., **4**. 208.
letter to on the surrender, **3**. 65.
letters to and from ment'd, **3**. 62; **4**. 613, 614.
Popple to on payment for boundary survey, **3**. 17.
revenue matter submitted to, **4**. 758.
Scrugg, Charles, receives pay for soldiers, **17**. 190.
Scruggs, Chas. N., army pay, **17**. 249.
Scrugs, John, petition on land grants, **9**. 1260-1262; **11**. 250-252.
Scrum, Peter, pensioner, **22**. 87.
Scudder, Abner, army rank, **16**. 1164.
Scudder, Major, **13**. 479.
army rank, **16**. 1197.
artilleryman, **15**. 734.
Scudder, Nath., to Caswell on resources of State, **13**. 272-273.
Scull, Lieut., **12**. 474.
on guard, **12**. 514, 527.
Scull, Alex., army rank, **13**. 517; **16**. 1160.
Scull, John, **14**. 114.
Scull, Jno., army rank, **16**. 1152.
reports on troops, **15**. 719.
Scull, John Gambier, army pay, **17**. 246.
army record, **13**. 475.
in assembly, **21**. 738, 765, 775, 818, 850, 853, 872, 873, 876, 918, 926, 927, 930, 931, 937, 946, 965, 970, 977, 980, 987, 991, 999, 1003, 1006, 1012, 1015, 1020, 1021, 1027, 1030, 1032, 1036, 1055.
in conv. 1789, **22**. 38, 46, 49.
resolution in favor of, **21**. 767, 918, 923.
Scull, Joseph, army pay, **17**. 248.
Scull, P., to Caswell on returns of troops, **14**. 73.
Scuppernong (Scooperlong, Scupernung, Scuppernung), **2**. 302, 354, 452, 461, 679.
families at, **1**. 766.
Scuppernong Lake, act for canal to, **24**. 861-2; to drain, **24**. 639-40.
bill for canal to, **18**. 12, 16, 23-24, 43, 240, 242, 246, 265; to vest lands on, **19**. 532, 536, 554, 564, 565, 577, 598, 660.
Scuppernong River, **2**. 494; **23**. 336; **25**. 34.
act for warehouse on, **23**. 150-151, 336; on canal from, **24**. 861-2.
bill for canal to, **18**. 12, 16, 23-24, 43, 240, 242, 246, 265; for warehouse on, **4**. 539, 540, 542, 546, 549, 565, 566, 567, 568, 572; for town on, **20**. 166, 345, 497, 509; **21**. 22, 35, 44, 50, 62.
inspection on, **23**. 641, 792; **25**. 313, 379.
Scuppernong Warehouse, inspection at, **25**. 313.
Scurlock, Col., Bd. of War to on wagons and provisions, **14**. 427.
Scurlock, Ens., stores to, **15**. 597.
Scurlock (Shurlock), George, army pay, **17**. 247.
receives pay for soldiers, **17**. 202, 227.
Scurlock, James, army pay, **17**. 247.
Cont. lieut., **22**. 1049.
in army, **21**. 88.
officer, **18**. 450, 486.
on board of rearrangement, **16**. 575.
pays out public money, **16**. 56.
rank, **16**. 74, 609, 665, 1160, 1165.
returns soldiers to N. C., **16**. 588.
Scurlock (Shurlock, Surlock), Mial, a J. P., **9**. 1027.
act for town on lands of, **24**. 774-6, 882-3.
becomes clerk of court of Chatham, **11**. 475.
bill to establish town on lands of, **17**. 285, 288, 302, 306, 339, 340;

18. 27, 44, 67, 255, 259, 268, 276-277, 291; **20**. 15, 57.
claims allowed, **9**. 225, 953.
coms'r on town, **24**. 247.
in assembly, **17**. 715; **19**. 373, 383, 387, 390.
in Prov. Cong., **10**. 914, 915.
letter of ment'd, and answer, **14**. 400, 401.
major, **10**. 207, 531.
on com. of assem., **17**. 644, 726, 727, 755.
on com. Prov. Cong., **10**. 917, 967, 996.
on S. C. of Hillsboro Dist., **10**. 215.
seat in assembly vacated, **12**. 265, 365.
takes deposition of McLeod on Indians, **10**. 725.
to Caswell on condition of iron works, **11**. 487-488.
to deliver public guns, **13**. 569.
to inventory loyalists' property, **10**. 554.
to procure arms, **10**. 524.
Scurlock, Michael, a J. P., **9**. 1169.
Scurlock, Sarah, **24**. 775.
Scurlock, T., owes state, **21**. 1070.
Scurlock, Thos., account of, **19**. 516.
claim, **19**. 692.
commissary of issues, **19**. 433, 441, 476, 483, 775, 825.
report on specie, **19**. 703.
Scurlock, Thos., major, **22**. 966.
Scurlocke, James, promoted, **17**. 142.
Scurry, E., **22**. 647, 648.
Scutchins, Meredith, army pay, **17**. 249.
Scutchins, Samuel, army pay, **17**. 249.
Scuttlethorpe, Joseph, exempted, **4**. 391.
Scyllas and Charybdes, **2**. 30.
Sea Flower, ship, **5**. 156.
Seaborn, Joseph, in army, **13**. 523.
Seaborn, Wm., juror, **4**. 519.
Seaborn, Wm., juror, **25**. 187.
Seaborn, Wm., in army, **13**. 510.
Seabrook, Robert, church commissioner, **2**. 874.
Seaburn. See Seeburn.
Seaburn, Joseph, army pay, **17**. 249.
Seaburn, Wm., asks for lapse patent, **2**. 500.
quit rents of, **22**. 250.
Seaburn's Landing, inspection at, **23**. 641, 792; **25**. 313, 380.
Seacoast, defense of, **6**. 1027; **16**. 298, 321.
Seadlock, Capt., **10**. 417.
Seaford, ship, **5**. 445.
Seago, John, exempted, **9**. 145.
Seagraves. See Seegrave.
Seagraves, John, army pay, **17**. 246.
army rank, **16**. 1166.
Seagraves, John, Jr., army pay, **17**. 246.
Seagraves, John, Sr., army pay, **17**. 246.
Seagraves, Stephen, in Indian war, **10**. 754.
Seagraves, Mr., loss of by storm, **8**. 75.
Seagrove, Mr., introduced to Caswell, **13**. 264.
Seagrove, John, **20**. 775.
army rank, **16**. 1156.
pensioner, **22**. 84.
Seagroves, John, in army, **15**. 728.
Seagroves, John, takes oath, **22**. 173.
Seagroves, Thos., army rank, **16**. 1164.
Seal, Wm., in militia, **22**. 417.
Seal, Lord Keeper of the, at council, **1**. 222.
to print address, **1**. 634.
Seal, Lord Privy, on Bd. T and F. P., **1**. 223.
Seal, approved by King, **3**. 120.
bill to procure, **12**. 612, 613, 620, 642, 646, 654, 730, 731, 737, 739, 751.
Board of Trade to Newcastle on, **3**. 120.
broken, **9**. 50.
design and motto suggested, **3**. 79, 80, 119.
detained from officers, **1**. 733.
draught approved, **3**. 126; to be prepared for, **3**. 125.
for American colonies and N. C., **11**. 211.
for the Carolinas, **2**. 394.
made by Tisdale, **13**. 891, 956, 983.
messenger for paid £10, **3**. 303.
new one and description, **7**. 532-533.
of Albemarle Co., described, **4**. 1200.
old to be used until new s. arrives, **3**. 215.
ordered for N. C., **3**. 75, 76, 79-80.
ordinance to procure, **10**. 989-990.
provided for Franklin, **22**. 666.
provision for, **10**. 1009; **23**. 982.
sent to governor, **3**. 119.
threatened trouble over, **4**. 201-202, 213, 214.

to be attached to copies of laws, **4**. 420, 424.
warrant of transmission prepared, **3**. 133.
Seal, Great, act to precure, **24**. 166.
Seals, Francis, army pay, **17**. 250.
Seals, Jno., army rank, **16**. 1157.
Seals, Wm., boundary coms'r, **24**. 703.
in assem., **19**. 722, 766, 773.
resigns as J. P., **21**. 261, 606, 633.
Seal's Road, 14. 856.
Seamen, act against crediting and harboring, **25**. 263; for funds for sick s., **25**. 56-7, 81-2.
bill for relief of, **20**. 498; for tax on, **18**. 152, 199, 372, 380, 413, 427, 441; for support of, **21**. 292-293, 299, 327, 386, 393, 646, 700, 713; to amend act on, **21**. 852, 857, 1017, 1023, 1026, 1027, 1033; to prevent desertion of, **7**. 598, 630-631, 632, 659.
bounty allowed to, **12**. 257, 260.
desertions of considered, **7**. 534-535.
not to be entertained, **23**. 243, 462; **25**. 358, 359.
recruited in N. C., **8**. 549-550.
resolve on bounty to, **12**. 444.
wages of, **1**. 135.
Seamore, James, in militia, **22**. 346.
Seamore, John, in militia, **22**. 346.
Seamore, Thomas, army pay, **17**. 251.
Seamore, Wm., in army, **15**. 725.
Seaner, Peter, army pay, **17**. 250.
Seaports, fortifications of needed, **11**. 826.
Searcey, Bartlet, in militia, **22**. 370.
Searcey, John, act for land to, **24**. 629-30.
land grant to, **19**. 572.
Searcey, Jno., Jr., in militia, **22**. 370.
Searcey, Richd., in militia, **22**. 160.
Searchers, should be appointed to seal and mark goods, **3**. 186.
Searches and seizures, act on, **25**. 21.
Searcy, Asa, army pay, **17**. 247.
Searcy, Bartlet, takes oath, **22**. 176.
Searcy, John, pensioner, **22**. 84.
Searcy, John, Jr., takes oath, **22**. 170.
Searcy (Searsy, Searcey), Reuben, claims, **20**. 182, 191, 192, 195, 204, 363, 377, 385; allowed, **8**. 468; **9**. 718, 757; **22**. 836.
dues from as sheriff, **9**. 572.
holds guns, **15**. 486.
juror, **8**. 72.
misconduct as pollholder, **6**. 367.
petition, **17**. 284; **18**. 116, 256, 259, 289, 318, 331, 342; **20**. 9, 13; **21**. 794.
taken before assembly for misbehavior, &c., **6**. 401, 405, 406.
tax collector, **9**. 573.
to Caswell on marriage licenses and county officers and answer, **11**. 426, 429-430.
Searcy, Rich'd, takes oath, **22**. 170.
Searcy, Sam'l, account of, **19**. 413, 415, 438, 742.
Searcy, Sam'l, takes oath, **22**. 176.
Searcy, Thos., 20. 574.
owes state, **21**. 1068.
Searcy, Wm. H., takes oath, **22**. 169.
Seares, ——, a rebel, **1**. 260.
Seares, Jonathan, asks for lapsed land, **2**. 204.
Seargeant, William, land grant to, **4**. 635.
Searle, Francis, claims, **4**. 808.
Searle, James, to ——, on movements of Br. fleet, **10**. 908-909.
Searle, Mrs. James, 10. 909.
Searles, ——, 22. 693.
Searles, Thos., army rank, **16**. 1162.
Searles, Thos., army rank, **16**. 1162.
Sears. See Seayres, Seeres, Seyers.
Sears, Mr., carries letter, **2**. 25.
Sears, Capt., brings in salt, **11**. 406.
Sears, Col., 14. 669.
Sears, David, army rank, **16**. 1161.
Sears, Jno., army rank, **16**. 1159.
Sears, John, bill to be paid to by treasurer, **12**. 53-54.
Sears, Richard, petition, **20**. 217, 228, 252, 433, 437.
Sears, Robert, army pay, **17**. 246.
Sears, William, in assem., **1**. 273.
Searson, Laurence, juror, **25**. 188.
Searts, Robert, army pay, **17**. 246.
Searts, Thomas, army pay, **17**. 246.
Searwalt, Adam, army pay, **17**. 251.
Seasury, Reuben, clerk, **9**. 298.
Seat, James, pensioner, **22**. 86.
Seath, Peter, exempted, **5**. 895.
Seatle, Rich'd, in militia, **22**. 323.
Seaton, Jos., in militia, **22**. 352.
Seaton, Joshua, in militia, **22**. 163.
Seavers, Abraham, prisoner, **17**. 1045.
Seaward (Leeward?) Islands, 7. 447.
Seawell. See Sewalls, Sewell.
Seawell, Mr., in assem., **18**. 804.
Seawell, Benjamin, 14. 590; **15**. 75, 411, 466; **16**. 482.
a J. P., **18**. 82.

allowance to, **19**. 371.
captain, **10**. 626, facing 680.
character, **14**. 661.
colonel and gives certificate to Walton, **15**. 235.
commissioner on building, **24**. 836; on capitol, **13**. 752; **18**. 804; to examine guns, **12**. 183-184; to receive guns of Ransom, **12**. 366.
court at house of, **24**. 228.
in assembly, **12**. 1, 2, 41, 42, 53, 76, 93, 116, 122, 139, 142, 151, 177, 178, 196, 197, 198, 201, 219, 252, 358; **13**. 624, 735, 736, 738, 753, 754, 756, 758, 765, 766, 808, 825, 858, 860, 867, 877, 883, 894, 898.
in Council of State, **16**. 90, 95; **17**. 810, 812, 893, 894, 896, 900; **19**. 57, 59, 855, 868, 869, 875, 878.
in Prov. Cong., **10**. 913, 919, 943, 960.
memorial, **17**. 353, 355, 359; **20**. 68, 69.
militia of sent to Ramsey's Mills, **15**. vi.
on com. of assembly, **12**. 16, 17, 125, 209, 221, 226, 240, 283, 366, 390, 400, 407; **13**. 739, 755, 790, 826, 830, 831, 915, 921.
on com. Prov. Cong., **10**. 929, 930, 970.
owes state, **21**. 1074.
paper to, **16**. 470.
reconnoiters, **14**. 776.
report of troops under, **15**. 74.
reports on Halifax gun factory, **12**. 586-587, 596-597, 694-695, 705-706.
resolve in favor of, **17**. 820.
school trustee, **13**. 809; **24**. 876.
sells public guns, **12**. 163.
Sumner to on express to Steuben, **15**. 447-448; on movements of Br. and answer, **14**. 776-777.
tax action wrong, **19**. 177, 302.
time of enlistment of troops about to expire, **14**. 781.
to Burke on raising militia, **22**. 559-60.
to Harrington on Camden battle, **15**. 406.
to Nash on bounty for troops, **15**. 8-9, 15.
to procure arms, **10**. 556.
to reconnoiter, **14**. 647.
to Sumner on Br. movements, &c., **15**. 461; on case of Bowlins, **16**. 502-3; on movement of militia, **15**. 444-445.
tobacco to for paper, **17**. 905, 906, 907.
Seawell, James, resolve in favor of, **19**. 37.
Seawell, Jos., note by, **15**. 454.
Seawell, Thos., auditor, **19**. 361, 362.
petition and resolve in favor of, **19**. 511, 512, 516, 523-524, 553, 554.
owes state, **21**. 1071.
warrant to, **19**. 509.
Seayres. See Sears, Seeres.
Seayres, Lt. Col., **11**. 745.
Seayres, Robt., army rank, **16**. 1165.
Sebastan, Stephen, exempted, **7**. 938.
Sebeau, Christian, petition, **21**. 760-761, 767, 892, 894-895, 916.
Sebril, Josh., army rank, **16**. 1163.
Sebron, Jos., army rank, **16**. 1153.
Seburn, Jos., wounded and prisoner, **15**. 169; **22**. 523.
Seceders, in Mecklenburg Co., **7**. 241.
Secession, of west threatened, **22**. 698.
Second battalion (N. C.), **15**. 702; **17**. 1052.
returns of at Carthagena, **15**. 755, 759.
reports on, **13**. 504-531.
Second Battalion (N. C.) Light Infantry, losses at Stone Ferry, **15**. 751.
Second Broad River, **11**. facing 80.
bill on fish, **20**. 170, 180, 181, 355.
dam to be built on, **21**. 354.
Second Creek, **2**. 291; **5**. 1208; **8**. 631, 744, 763; **24**. 160.
Germans on, **8**. 748.
immigrants on from Pa., **8**. 759.
Second High Bluff of Cape Fear River, **4**. 684, 685, 686.
Second Maryland Regt., **16**. 603, 604.
Second Regiment, **16**. 618, 641, 644, 647, 881; **22**. 95, 96, 111, 145.
consolidated, **15**. 765.
Howe thanked, **17**. 416.
not completed, **16**. 578.
return of, **16**. 271.
Second Regiment North Carolina Militia, report on, **17**. 1043.
roll of, **17**. 1057-1058.
return of, **22**. 1022.
Second River, **14**. 239.
Second Street, Phila., **21**. 574.
Secrecy, Intelligence and Observation, com. of Prov. Cong. on, **10**. 507, 519, 527, 544, 560, 584.
Secrecy, War and Intelligence, com.

of, to Hancock on prisoners, **11**. 293-295.
to Lee on movements of troops, **11**. 296-297.
Secrest, Simon, in militia, **22**. 161.
Secretary, to be appointed by Gen. Moore, **10**. 930.
Secretary of Albemarle, a Quaker, **1**. 217, 218.
deputy, Lovick, **2**. 321.
duties, **1**. 52, 79, 165, 174-5.
Hartly, **1**. 349.
Holden, **1**. 314-317.
Miller, **1**. 278.
Woodrowe, **1**. 351.
Secretary of Council, Lovick, **2**. 357.
Secretary of Governor, fees of, **23**. 276; for land grants, **4**. 1128.
Secretary of South Carolina, Wigginton, **1**. 706.
Secretary of State, **1**. 857; **16**. 63, 85; **20**. 537, 551, 573; **21**. 85; **22**. 55, 111, 117, 151, 153, 291, 304, 904, 906, 917, 925; **24**. 104, 115, 123, 215, 648, 663, 682, 683, 732, 748, 811, 812, 853, 888, 893, 894, 912, 966, 967, 975, 978; **25**. 47, 62, 63, 102, 119, 162, 178, 206, 218, 258, 306, 334, 373, 374, 407, 434, 435, 455, 463, 464, 491, 494.
accounts of, **19**. 700, 704.
accounts to be forwarded to, **6**. 1088-1089.
act for him to correct errors in land grants, **25**. 77-8; on fees, **23**. 84, 278-9; **24**. 314, 445-6; **25**. 221; on salary, **24**. 35-6, 63-4, 188, 259, 326-7, 501, 648, 668, 709, 796, 957.
and clerk of Crown, **11**. 143.
appointed by gen. assem., **10**. 1010, 1013.
appoints co. clerks, **5**. 571.
asked to furnish list of J. P.'s, **16**. 28, 32.
bill for salary to, **12**. 241, 250-251, 253-254, 434, 440-442, 592, 600, 601, 613, 653, 703, 705, 716, 730, 732, 754, 776, 786, 793; **13**. 747, 757, 760, 793, 800, 801, 807, 811-813, 814, 817; **19**. 179, 183, 225, 301, 302, 308, 349, 363, 417, 420, 421, 431-432, 464, 748, 755, 796, 827-828; for ascertaining salary of, **12**. 75, 81, 82, 83, 112; **16**. 52, 55, 85, 88, 90, 92, 95, 120, 124, 152-153; **19**. 26, 55; to regulate fees, **19**. 58, 81, 113; to repeal act on salary, **12**. 831, 833, 853.
Burrington on, **3**. v.
charges of removal of office to Cape Fear and answer, **6**. 300-301.
claims not allowed, **12**. 100-1.
commission of McCulloh, **11**. 120, 121; of Rice, **11**. 8.
corruption in office of, **3**. 27.
deputy, Foster, **3**. 156.
DeRossett nominated, **15**. 147.
duties, **7**. 484.
elections for, **17**. 310, 318, 330; **19**. 136, 150, 152, 244, 247, 265, 269; **20**. 29, 42, 491, 495, 500; **21**. 26, 37; **23**. 982.
Falkner nominated, **6**. 625, 626; **11**. 143.
fees, **3**. 162-163; **4**. 190-191, 207; **5**. 97; **6**. 621, 622.
frauds by, **6**. 412; in office of, **6**. 270, 273-274.
Glasgow, **11**. 363, 379, 380.
has had right to appoint county court clerks, **4**. 543-544, 545.
incompleteness of records, **1**. iii.
instructed to appoint deputy, **12**. 646, 649, 729, 758, 759; to surrender certain papers, **12**. 633.
instructions to on land frauds, **20**. 109, 113, 114.
list of, Akehurst, **1**. 410, 413, 415, 418, 420, 423; Duckingfield, **2**. 350; Heron, **22**. 857; Knight, **1**. 774, 842; **2**. 146; Lovick, **2**. 454; **3**. 1; McCulloh, **5**. 338-339; **22**. 865; Murray, **5**. 29; **22**. 865; Palmer, **22**. 859; Rice, **3**. 76, 121, 215, 414; Sanford, **1**. xiv, 118; Strudwick, **11**. 238, 239; Swann, **1**. 574.
list of papers in hands of, **18**. 484-485.
location of office, **20**. 472-473.
Lovick and Foster on value of, **3**. 198-199, 199, 200.
memorial on salary, **20**. 528.
not to sit in gen. assem., **10**. 1010; **23**. 983.
office of, **4**. 1138; and records to be kept at Edenton, **4**. 572; at disposal of Newcastle, **3**. 80; taken to Cape Fear, **6**. 412.
on pirates, **1**. 515.
order in matter of office, **20**. 281.
ordered to produce records at Wilmington, **9**. 601.
ordinance to appoint, **23**. 986.

petition, **19**. 32, 36, 42, 54, 66-67, 69.
power to appoint co. clerks considered, **7**. 472.
records, &c., to be delivered to, **12**. 428, 430.
regulations of office, **7**. 450.
reports on warrants issued by, **17**. 374, 381; to be made to, **6**. 1076.
representation of, **17**. 302, 384; **20**. 80, 83.
salary, **2**. 170; **5**. 20; **10**. 1013; to be raised, **13**. 604-605, 618, 649, 684, 690, 732, 734-734*a*, 740.
should make copies of laws, **4**. 378, 381, 405, 410.
Spaight commissioned, **6**. 711-712.
to attend Council of State, **22**. 906.
to care for official dispatches, **24**. 951.
to deliver attested copies of acts to public printer, **24**. 951.
to make out land grants, **24**. 46, 480-1, 732.
to preserve land records, **19**. 230, 231, 269, 274, 279; record of wills, etc., **24**. 66.
to recover record books of Earl Granville, **20**. 269, 449, 464.
trouble from removal of office, **4**. 825.
Secretary of State (Br.), Martin to on Camden battle, **15**. 49-56.
Secretary of State (Franklin), elected, **22**. 667.
not to sit in assem., **22**. 668.
Secretary of State (U. S.), **20**. 47.
Secretary of War (Fed.), **16**. 391, 393, 456, 459, 471, 503, 624, 627, 629, 630, 649, 651, 655, 725, 827, 848, 853, 854, 881, 927; **17**. 132, 453, 456, 457, 1052, 1053; **18**. 546, 651, 711, 712; **19**. 979; **20**. 685; **22**. 154, 806; **24**. 735, 736.
Steward to on promotions, **16**. 603-604, 627-628, 630-631, 653.
Secretary of War (State), **16**. 263, 272.
Sectionalism in North Carolina, displayed in putting down regulation, **8**. iii-vii.
Sects, in Pa., **7**. 286.
Securities, act on proceedings on, **25**. 53-4; to make negotiable, **24**. 791-2.
bill for relief of, **21**. 384, 410, 645, 700, 713, 718; to make negotiable, **18**. 38, 129, 168, 267, 271, 298, 389; **21**. 256-257, 261, 265, 277, 281, 298, 322, 326, 364, 617, 619, 649; to subscribe them on loan, **21**. 969, 973, 982, 1009, 1013, 1053-1054.
com. to report on amount in circulation, **21**. 882.
funding of, **21**. 867.
Security of Bank of North America, act for, **24**. 446.
Security to be given by governor, **2**. 50-1.
Sedgwick, Mr., **6**. 1053.
Sedgwick (Ledgewick), Theodore, in C. C., **18**. 488, 548, 641, 671, 709, 726.
Sedition, act against, **1**. 788; **23**. 38; **25**. 152-4; against spreading of, **13**. 241.
ordinance against, **23**. 998-9.
Seeburn. See Seaburn.
Seeburn, Jos., army rank, **16**. 1164.
Seed of Settico, wounded and dies, **7**. 209, 210.
Seely, Capt., court martialed, **12**. 532.
Seemore, Adam, in militia, **17**. 1054.
Seeres. See Sears, Seayres.
Seeres, William, leader in rebellion, **1**. 293, 310-311.
Seers, Asa, army rank, **16**. 1162.
Seewey, Wm., petition on C. H., **9**. 806-809.
Seger, Thos., quit rents of, **22**. 243.
Segond, —— de, prisoner, **16**. 671.
Segrave. See Seagraves.
Segrave, Francis, imports persons, **1**. 479.
Segrave, Francis, Jr., imported, **1**. 479.
Segrave, Lucretia, imported, **1**. 479.
Segrave, Thos., imported, **1**. 479.
Segraves, Jacob, army rank, **16**. 1163.
Segur, M. de, **16**. 764.
Seham, M., books sent to house of, **16**. 249.
Sehauhuntachol, **2**. 810.
Seidel, Christian, dead, **5**. 1149.
Seitz, ——, **8**. 745.
Seitz family, **8**. 745.
Seivils, Dan'l, in militia, **22**. 357.
Seivils, Jno., in militia, **22**. 357.
Seizures, Eng. act on in force in N. C., **23**. 320.
illegal, act on, **24**. 350-1, 376-8.
Seizures and searches, act on, **25**. 21.
Sekipper, John, land grant to, **4**. 219.
Selby. See Shelby.
Selby (Shelby), Buridge (Barridge), a J. P., **23**. 994.
resigns as J. P., **20**. 141, 143, 324.
Selby, Buridge Hutching, takes bond

as J. P., **9**. 1004-1005.
Selby, Samuel, land grant to, **4**. 851, 855.
Seldon, Col., pres. of court martial, **12**. 483.
Seler, Jos., in militia, **22**. 281.
Selers. See Sellars, Sellers.
Selers, Phillup, petition on catching fish, **9**. 87-88.
Self. See Selph.
Self, Job, deposition on illegal fees, **7**. 775.
Self government, demanded by Barbadoes adventurers, **1**. 41.
in Clarendon Co., **1**. 154, 156, 157.
in colonies, provided for, **1**. 553.
in New Eng., **1**. 38.
Sell, Jonathan, exempted, **7**. 368.
Sell, Philip, pensioner, **22**. 86.
Sellars. See Selers.
Sellars, James, a J. P., **23**. 993.
Sellars, John, petition on separation, **22**. 705-11.
Sellars, Jordan, pensioner, **22**. 86.
Sellers, Archibald, ensign, **15**. 784, 788.
Sellers, Benj., juror, **4**. 524.
land grant to, **4**. 631.
Sellers, Danl., army rank, **16**. 1157.
Sellers, Henry, army rank, **15**. 730; **16**. 1155.
reënlists, **15**. 750.
Sellers, Jacob, land grant to, **4**. 349.
Sellers, James, army pay, **17**. 246.
Sellers, Jno., army rank, **16**. 1164.
Sellers, John, land grant to, **4**. 629.
Sellers, John, Jr., land grant to, **4**. 641.
Sellers, Thomas, regulator, **7**. 734.
Sellers, Thomas, regulator, **7**. 736.
Sellinger, Absolom, army rank, **16**. 1156.
Selor, Michel, in militia, **22**. 282.
Selph. See Self.
Selph, Philip, asks for new county, **9**. 89-90.
Selves, David, army rank, **16**. 1160.
Selvester. See Sylvester.
Selvester, Luke, in militia, **22**. 392.
Selwood, John, administration granted to, **4**. 1207.
Selwyn (Selwin, Selvin, Salwyn), George Augustus, bill for town on lands of, **7**. 311, 378, 380.
buys land of Crymble & Huey, **6**. 779, 780.
census of settlers on grants to wanted, **7**. 278.
complaints of settlers on lands of and McCulloh's answer to same, **7**. 6, 10, 11, 12-31, 34-35.
excused from quit rents, **7**. 676-677.
grants to cause trouble, **6**. 794.
King's present to, **6**. 781.
land case and settlers of, **5**. 740, 742.
lands of taken up by others, **6**. 781, 783, 784, 786, 789, 790, 795, 796.
location of lands, **7**. 1004.
McCulloh on discharge of his trust, to, **7**. 17-31.
makes Spaight and A. McCulloh agents for sale of land, **5**. 773-775, 776, 777, 778; the McCullohs his attorneys, **6**. 996-998.
memorial on surrender of land grants, **6**. 797-798.
returns of population on lands of, **7**. 451-452.
riots over lands of, **7**. 23-24, 32-34, 37-38.
settlers of disown his title, **5**. 642.
submits to King's pleasure on grants, **8**. 52.
surrenders grants, **7**. 453-454.
Tryon on land selling methods of. **7**. 530.
Selwyn, John, land grant to, **5**. xxxii, 773, 774, 775, 776; **6**. 996.
Semes, James, **5**. 1209.
Seminary, bill to establish, **8**. 338, 348, 350, 353, 391, 400, 409, 429, 526.
See also Academies, Education.
Semmons. See Simmons.
Semmons, ——, law suit, **1**. 587.
Semple, James, takes oath, **22**. 169.
Semple, Robert B., history of Va. Baptists quoted, **5**. 1167.
Semple, Thos., Indian messenger, **22**. 999.
Senate (N. C.), composition, powers, &c., **23**. 980-2.
creation and powers, **10**. 1007-1013.
journals of, **12**. 1-113, 114-220, 221-264, 549-654, 764-815; **13**. 532-624, 735-783, 825-912; **17**. 635-714, 794-876; **18**. 1-225; **20**. 1-117, 475-599; **21**. 577-870; **22**. 54.
organization in Franklin, and powers, **22**. 664-8, 669, 670.
qualification of members, **23**. 980.
rules of order, **12**. 550-551.
Senate of United States, **22**. 115, 118, 635, 636, 798, 799; **25**. 20.
secrecy of disliked, **21**. 902, 961-962, 1029, 1040-1041.
Senators of United States, act on elec-

tion of, **25**. 3-4; against holding office under N. C., **25**. 69-70.
elected, **21**. 253, 258, 266, 273, 278, 279, 280, 282, 287, 302, 303, 305, 306, 311, 314, 320, 326, 327, 330, 333, 334, 614, 623, 627, 628, 630, 631, 632, 647, 648, 651, 652, 653, 661, 662, 665, 666, 669, 672.
election not to be interfered with, **22**. 24, 49, 51.
instruction of, **21**. iv, 798, 902, 923, 953, 961-962, 963, 992, 1028-1030, 1040-1041, 1044, 1048-1049, 1055-1056.
pay of, **22**. 22, 24.
to be ineligible to civil office, **22**. 20, 52.
to correspond with legislature and executive, **21**. 962, 1029.
Senclair. See Sinclair.
Senclair, Col., report on regt., **22**. 314.
Sendal, Wm., army pay, **17**. 250.
Senderman, Hendry, regulator, **7**. 735.
Seneca, John, leases Indian lands, **25**. 507-9.
Seneca, Thos., deeds Indian lands, **25**. 507-9.
Seneca (Sinica), 10. 746, 776, 783; **21**. 530, 531, 534, 542, 543.
S. C. treaty to be held at, **17**. 522, 567.
Seneca (Sennica) Fort, number Br. in, **14**. 505, 516.
Seneca (Senekoes, Senekas) Indians, aid expected from, **1**. 828-829, 861, 863.
carry off Indian slave, **2**. 570.
designs of, **2**. 304, 305.
driven out of fields, **4**. 1314.
efforts to enlist them in aid of S. C., **2**. 254-255.
incursions of, **11**. 10, 11, 12, 13, 14, 15, 22.
information on movements of desired, **1**. 866.
no danger from, **2**. 21.
sent home, **2**. 24, 25.
to aid Tuscaroras, **1**. 814; **2**. 49, 144.
warn Tuscaroras against war, **2**. 2.
will not aid Tuscaroras, **1**. 882.
Seneca Old Town, 18. 493, 799.
Seneca (Seneka) Towns, 10. 845.
Senecca (Seneka), George, tried and sentenced for murder, **2**. 640, 664-665.
Senegal, port, British act on, **6**. 1081.
Senf (Sens), Christian, petitions to clear river, **21**. 92, 99.
to open Catawba, **24**. 961.
Senf (Senff), John Christian, 14. 577, 578, 631, 634, 637, 644, 653.
arrives in Richmond, **14**. 575.
forced to retreat, **14**. 728.
reports on Br. invasion of Va., **15**. 137.
to Benbury on battle of Great Bridge, Va., **15**. 112-113; on Br. invasion of Va., **15**. 144-145.
to Gates on condition of eastern Va., **14**. 688-690; on fleets, &c., **14**. 672; on public affairs, **14**. 656-657; on reinforcements and supplies to, **14**. 574-575.
Sennit, Capt., 5. 4.
Senottoway Indian, taken prisoner, **2**. 1-2.
Sensing, Jas., in militia, **22**. 374.
Senter, Luke, in militia, **17**. 1060.
Senter, S., moderator, **5**. 1182.
Senter, Saml., army rank, **16**. 1162.
in militia, **17**. 1060.
Senter, Will'm, in militia, **17**. 1060.
Sentez, Saml., army rank, **16**. 1160.
Seold, John, land grant to, **4**. 638.
Separate Baptists, association connections of, **5**. 1170.
join Regulars, **5**. 1176-1177.
leaders, **5**. 1169.
method of preaching, **5**. 1167-1168.
See also Baptists.
Separation of North Carolina and South Carolina, cause, **1**. xv.
Sephens, Thos., in militia, **22**. 342.
Sepper, Robert, land grant to, **4**. 952.
Serapis, the, taken, **15**. 339.
Seratoga, 14. 558.
Serdson, Thomas, petitions for division of Orange Co., **9**. 809.
Sergeanton, Judith, discharged by court, **2**. 828.
Serimshare, And., in militia, **22**. 391.
Serjant, Stephen, juror, **7**. 843, 845, 846.
Serjant, Wm., in militia, **22**. 285.
Sermons, distributed among rebels in N. Y., **8**. xxxix.
Serratt, Joseph, petitions for division of Orange Co., **9**. 809-810.
Serratt, Saml., army rank, **16**. 1159.
Serrett, Samuel, army pay, **17**. 249.
Sersy, Luke, army rank, **16**. 1167.
Serurier, James, church commissioner, **2**. 874.
defaulter, **2**. 912, 913.

Servain, Joshua, in assembly, **12**. 656.
Servants and slaves, 1. 86, 87, 88, 89, 92.
act against raising stock, **24**. 260; limiting payment for those executed, **24**. 282-3, 382-3; act on, **23**. 62-66, 97, 191-204, 337, 388-90, 488-9, 656; **25**. 161, 169-70; on patrollers, **24**. 276-7; on trial of, **24**. 496-7; to collect fines of from masters, **23**. 788.
allowed to vote, **1**. 639.
amount of land granted for, **5**. 93-94, 102.
and marriage, **23**. 159.
bill concerning, **4**. 477, 503, 505; for additional act on, **5**. 42, 43, 45, 48, 53, 60, 61, 62, 64, 66, 67, 76, 1021, 1022, 1023, 1024, 1036, 1060, 1064-1065, 1066, 1067, 1097; **6**. 866, 936, 946; **9**. 760, 765; bill on, **8**. 294, 297, 324, 328, 335; **17**. 670, 673, 685, 748, 750, 752, 753, 764; **19**. 139, 140, 143, 154, 250, 251, 256, 271; to amend act on, **13**. 856, 864, 865-866, 872, 876, 889, 952, 955, 963, 964, 973, 981; **19**. 637, 644; to repeal part of act on, **6**. 1223, 1225, 1228, 1252, 1267, 1269, 1272, 1274, 1276, 1279; **7**. 92; **12**. 51, 55, 62.
bought by Urmston, **2**. 126-127.
burdens to masters, **1**. 682.
encouraged to run to C., **1**. 757.
Eng. acts on in force in N. C., **23**. 318, 321.
fugitive to be inquired into, **1**. 890.
harbored, **1**. 371, 536, 541.
imported, **1**. 420.
in Albemarle, **1**. 169-170, 172-173, 174, 182, 236-237, 248, 254, 334.
Indian, **1**. 622-623.
induced to testify against masters, **3**. 3-4.
may be imported direct, **1**. 501.
not admitted as witnesses, **23**. 262.
notes on acts on, **3**. 187, 190.
private burial forbidden, **23**. 66-67, 333.
report to be made on, **3**. 112.
rights at time of freedom, **1**. 155, 156.
run from Va. to N. C., **1**. 513, 514, 515, 798.
scarcity of, **2**. 261.
seized by Indians, **2**. 313, 315.
to go to C., **1**. 40.
trade in, **6**. 1031; from Ireland, **5**. 318; with forbidden, **2**. 96.
transported to Va., **1**. 974-975.
whipped, **2**. 511.
See also Indentured Servants; Slaves.
Seshons, John, petitions in behalf of orphans, **2**. 289-290.
Sesons, Wm., land grant asked, **4**. 763.
Sess, Geo., in militia, **22**. 164.
Sessians, Thos., lands of lapse, **2**. 227.
Session, Cullimore, juror, **4**. 523.
Sessions, Col., reports on discharge of light horse, **15**. 631.
Sessions, Jno., army rank, **16**. 1153.
Sessions, Nicho., juror, **4**. 523.
Sessions, Thos., exempted, **6**. 145.
Sessions, Thos., tries, values and condemns slave, **13**. 375-6.
Sessmett, Richard, land grant asked, **4**. 708.
Sessnot, Joseph, land grant to, **4**. 649.
Sessoms, Abel, army rank, **16**. 1165.
Sessoms, Solomon, a J. P., **22**. 1008.
Sessoms, Solomon, pensioner, **22**. 84.
Sessons, Nicholas, son exempted, **6**. 145.
Sessums, Culmer, quit rents of, **22**. 243.
Sessums (Sessoms), Isaac, a J. P., **23**. 993.
boundary coms'r, **24**. 249, 647.
dead, **19**. 803-4.
in assembly, **12**. 655, 657, 699, 716, 725, 736, 833, 873, 880; **13**. 625, 697, 709, 712, 721; **19**. 1, 2, 7, 377, 380, 386, 400, 401, 458, 489, 502, 571, 613, 614, 622, 643, 667, 671, 674, 676, 682, 688.
in Prov. Cong., **10**. 914, 915.
lieut. col., **22**. 956.
on com. of assem., **12**. 788, 846, 847; **13**. 589, 696, 697.
Sessums, Jos., land grant to, **4**. 343.
Sessums, Richard, land grants to, **4**. 334, 616, 709, 711.
Sessums, Sam., land grant to, **4**. 356.
Sestions, Walter, estate settled, **1**. 549.
Setgraves. See Sitgraves.
Setgraves, ——, claim allowed, **5**. 984.
Setgreaves, Thos., arrests Husband, **22**. 496.
Setterson. See Sitterson.
Setterson, James, land grant to, **4**. 225.
Settico, 10. 770, 777, 779, 784.
Setties, 7. 207.
Settle, Wm., chief justice, **3**. 389.
See also Little, William.
Settlement and settlements, abortive, **1**. x.

act to encourage, **1**. 674-675; **23**. 2-3, 95, 122, 787; **25**. 215-19, 239; disallowed, **9**. 284-285; to promote, **9**. 366; discussed, **9**. 238.
advantages to King, &c., **1**. 57.
agreement of proprietors with Yeamans, **1**. 75-92.
Bacon on requirements of, **1**. 100.
better, bill for, **4**. 88, 92, 125, 146, 147, 151, 180-189, 362, 388, 542, 564, 567.
bill to encourage, **8**. 295, 297, 300, 327, 328, 335, 341, 342, 429, 526; to encourage s. of western part, **12**. 144, 150, 151, 162, 165, 308, 312, 315, 323, 330, 388-389; to prevent in certain counties, **20**. 532, 555; **21**. 52, 78, 86.
Board of Trade on act to encourage, **9**. 248.
by private parties considered, **4**. 1106-1107.
causes, **1**. xxi.
cost of, **4**. 257.
dangers of runaways to, **1**. 261.
declaration and proposals for, **1**. 43-46.
definition of a sufficient s., **5**. 624, 625, 630.
drift of southward, **1**. x-xii.
encouragement of, **1**. 86-90; by Burrington, **3**. vii, ix-x, 436-437; in S. C., **2**. 838.
expansion in Albemarle limited, **1**. 286-7, 432.
extent, **4**. 1073-1074; in 1748, **4**. 916.
first on rivers, **1**. 602-603.
Godin on first in S. C., **2**. 763-764.
hindered by high rents, **3**. 481.
law for discussed and repealed, **4**. 434-435, 439; **5**. 100, 117.
letter of proprietors on, **1**. 46-47.
limits of, **2**. 779, 787, 788; for McCulloh extended, **5**. 626-627, 628-629, 630.
money advanced on, **4**. 1109.
new, proposed, **4**. 250.
proposed by Cape Fear Co., **1**. 36-39; by the Sieur Closen, **6**. 1050; from Barbadoes, **1**. 39-42; answer to proposals, **1**. 57-59; discussed, **1**. 47-48; proprietors on, **1**. 55-7.
proprietors instruct Berkeley on, **1**. 50-52; to adventurers on, **1**. 98.
reasons for, **4**. 920.
retarded by land entry laws, **1**. xi; by large land holdings, **5**. 549; by requirements for cultivation, **3**. 295.
summary of, **2**. 893-984.
time and place of first, **1**. ix-x.
western limits, **4**. xi, 721.
Settlement of the Crown, cited by regulators, **8**. xiv, 76.
Settlement of Transylvania, proposals for, **9**. 1129-1131.
Settlers, come to N. C., **3**. 343, 344.
difficulties in way of, **5**. 3.
few in southern part of N. C., **5**. 380.
frightened from C. by Heath's patent, **1**. 34-36.
from Barbadoes, **1**. 210.
from the north, **3**. 529.
list of early, in Albemarle, **1**. 252-3.
on Chowan River, **1**. 53.
to be encouraged, **1**. 53; **2**. 175.
Settling and quieting in possession, law needed for, **4**. 229-230.
Settlington, Andrew, 5. 1221.
Setzer, Reuben, 8. 752.
Setzer family, pioneers, **8**. 751.
Seven Creeks, 19. 963.
Seven Mile Mountain, 20. 263.
Seven Oaks, 22. 126.
Seventh North Carolina battalion, 15. 714; **22**. 760.
paymaster for, **22**. 923.
Seventh Regiment (Br.), 17. 981, 982.
invades N. C., **15**. 284.
joins Cornwallis, **15**. 280.
officers of, **10**. 949.
report on, **17**. 1009.
Seventeenth Dragoons, use of, **15**. 309.
Seventeenth Foot, use of, **15**. 309.
Seventeenth Light Dragoons, movements, **15**. 248, 254.
Seventeenth Regiment (Br.), remains in Va., **15**. 537.
Seventy-first Regiment (Br.), 15. 248, 251, 260, 264; **16**. 267; **17**. 981, 982; **19**. 983.
and battle of Camden, **15**. 267, 270, 271.
at Guilford C. H., **17**. 1003, 1004, 1024.
Ferguson attached to, **15**. 132.
fortunes, **15**. 51.
left in S. C., **15**. 282.
movements, **15**. 280, 305.
reports on, **17**. 1009, 1027.
sick of captured, **15**. 276.
sickly, **15**. 259, 266.
to invade N. C., **15**. 261.
Seventy-sixth Regiment, goes to N. Y., **15**. 574.

remains in Va., **15**. 538.
Sevanah town, settlers to be encouraged, **1**. 383.
Severans Tavern, 12. 471.
Severn, the, captured by the Nancy, **11**. 778-779.
Severn River, 9. 1065, 1069; **16**. 795.
Severston, James, army pay, **17**. 250.
Sevier, John, 16. 416; **17**. 601; **18**. 605; **19**. 739, 937, 939, 941; **20**. 218; **22**. 99, 105, 139, 158, 637.
a J. P., **23**. 995.
accepts pardon from N. C., **21**. 547.
actions of uncertain, **22**. 717.
agreement with Shelby on Franklin, **22**. 474-5.
and liquor for Indians, **16**. 925.
at King's Mountain, **14**. 685; **15**. 100, 101, 104, 105, 107, 108, 116, 133, 135, 163, 164, 372.
arrested and results, **22**. 690.
attacks Cherokees, **21**. 490, 493, 496, 497, 501, 515, 523-524, 528, 537, 543, 547; Deaderick and Caldwell over whiskey, **22**. 699-700, 701.
brig. gen., **19**. 468; **21**. 426, 725-726, 727-728; **22**. 729.
calls out militia, **17**. 803.
Caswell to on Franklin State, **20**. 617-619.
certificates of, **22**. 691.
commands Tenn. troops, **19**. 950.
coms'r on boundary, **24**. 301; on building, **24**. 142, 149; to hold Ind. treaty, **21**. 635.
conference with on Franklin State, **22**. 671.
dealings with Indians, **21**. v-vi.
exasperates Indians, **22**. 718.
exempted from pardon and pardoned, **24**. 955; **25**. 10.
gov. of Franklin, **17**. vi, 440; **22**. 682, 688, 690, 691, 692, 693, 694.
in assembly, **12**. 265, 303, 304, 311, 339, 368, 380, 395, 396, 399, 408, 428, 441; **19**. 372, 374; **21**. 228, 286, 332, 584, 585, 593, 619, 659, 669, 679, 680, 690, 694, 696, 697.
in Congress, **22**. 800.
in conv. 1789, **22**. 37, 47, 48.
in Prov. Cong., **10**. 951, 960.
incites insurrection, **21**. 176.
instructions to on Cherokee treaty, **16**. 710-711; **19**. 905-906.
Johnston to Campbell ordering arrest of, **22**. 694, 697; his opinion of, **21**. 270.
joins other troops for King's Mountain, **14**. 782, 786.
kills Indians, **22**. 695.
leads Franklin revolt, **21**. 459-461, 462, 463, 484, 493.
lieut. col., **10**. 998.
losses at King's Mountain, **14**. 675.
Martin orders him to submit to N. C., **22**. 716; to on encroachment on Indians, **17**. 14-15, 16; on Franklin State, **19**. 940-941.
memorial, **21**. 253, 608, 616; on Cherokee treaty, **22**. 727-8.
movements against Indians, **22**. 695-6, 718.
number troops under, **19**. 996.
on com. of assem., **12**. 11, 28, 156, 206, 301, 319, 323, 381.
on N. C. cession and Cherokees, **22**. 1007.
pardoned, **21**. 285-6; **22**. 728-9.
proposal to exempt him from pardon, **20**. 554.
quarrels with Tipton, **21**. 470.
recommended for brig. gen., **22**. 689.
report on, **21**. 543; on complaints of western people, **17**. 270, 274, 275.
sends letter to Cherokees, **21**. 530.
sent against Cherokees, **16**. 450, 461.
shows contempt for N. C., **22**. 696.
signs agreement on Franklin State, **20**. 646-648.
summoned before assembly on accounts, **12**. 571, 677, 683, 796, 854.
summons Tipton to surrender, **22**. 714.
thanked, **17**. 710, 739, 783, 787-788, 789.
to be conciliated, **20**. 711.
to Caswell on assembly of N. C. and Franklin State, **22**. 679-80; on Franklin State and answer, **17**. 446-449, 471-472, 545-546; **18**. 775-777; **20**. 659-660, 681-682; **22**. 659-61, 672-3.
to Chomby, Glover and Perry on settlement on Chickasaw lands, **22**. 719-21.
to command Tenn. forces and hold talks, **22**. 724.
to drive intruders off Indian lands, **16**. 810.
to furnish guard for Hubbard, **17**. 115.
to Gates on troops for King's Mountain, **14**. 663-664.
to gen. assem. on Franklin State and

his imprisonment, **22**. 697-9.
to Martin on Franklin State, **17**. 623-625; **22**. 640-2, 642.
to petition for admission, **22**. 724.
to Thompson, Turnbull and Piomingo on settlement among Chickasaws, **22**. 703-5.
to Tipton on Franklin flag, &c., **22**. 695, 715.
treason of and arrest ordered, **21**. 484, 485, 493, 501.
treats with Indians, **18**. 697; **22**. 649-50, 657.
Watauga to be annexed, **10**. 708-710.
Sevier, Robert, Watauga to be annexed, **10**. 708-711.
Sevier, Valentine, a J. P., **23**. 995.
nom. for militia officer, **21**. 150, 154.
officer, **18**. 450, 458; **22**. 702.
Watauga to be annexed, **10**. 708-711.
Sevier Co., Tenn., Lutherans in ask for minister, **8**. 779.
officers for, **22**. 719.
Sewalls. See Seawell.
Sewalls, Danl., army rank, **16**. 1153.
Seward, Patrick, rights proved, **4**. 1033.
Sewayars, 18. 799.
Sewee River, boundary of Craven and Berkeley cos., **1**. 377.
Sewel, Charles, quit rents of, **22**. 243.
Sewel, Richd., quit rents of, **22**. 243.
Sewell. See Seawell.
Sewell, Col., 16. 1201.
Sewell, Benj. A., 14. 403.
Sewell, Obadiah, army pay, **17**. 251.
Sewell, Richard, juryman, **2**. 261.
Sewell, Thomas, army pay, **17**. 248.
Sewell, Thos., dist. auditor, **24**. 373.
Sewell, Zaddock, in army, **15**. 730.
Sewell, Zedekiah, reënlists, **15**. 750.
Sewing, Jos., juror, **4**. 520.
Sewit's Lutheran Church, 8. 781.
Sewitz's Lutheran Church, 8. 794.
Sex, Florence, exempted, **6**. 807.
land grant to, **4**. 950.
Sex, Wm., quit rents of, **22**. 250.
Sexton, Lieut., resigns, **13**. 69.
Sexton, J., payment to, **13**. 350.
Sexton, James, army pay, **17**. 250.
horseman, **15**. 509.
Sexton, Jeremiah, army pay, **17**. 247.
in army, **15**. 732.
Sexton, Jeremiah, in militia, **22**. 346.
Sexton, Jeremiah, in militia, **22**. 347.
Sexton, Jeremiah, in militia, **23**. 352.
Sexton, Jeremiah, quit rents of, **22**. 250.
Sexton, John, pensioner, **22**. 84.
Sexton, Jona., soldier, **18**. 797.
Sexton, Samuel, horseman, **15**. 509.
Sexton, Wm., army pay, **17**. 248.
in army, **13**. 515; **18**. 797.
Sexton, Wm., in militia, **22**. 350.
Sexton, act on fees, **25**. 224.
fees, **4**. 195.
Sextons, Jonathan, army pay, **17**. 248.
Seyard Creek, 2. 810.
Seymore, John, inquisition over, **6**. 743.
Seymore, Phelix, army rank, **16**. 1156.
Seymore, Richard, arrested, **7**. 948.
Seymore, Sol., army rank, **16**. 1154.
in army, **15**. 718.
Seymore, Thomas, arrested, **7**. 948.
Seymore, Wm., army rank, **16**. 1158.
Seymour, Mr., at Board of Trade meeting, **1**. 284.
Seymour, Jo., gov. of Md., **1**. 672.
to Board of Trade on N. C. affairs, **1**. 664-667; on N. C. debtor law, &c., **1**. 682-683.
Seymour, John, quit rents of, **22**. 250.
Seymours, the, jailed, **8**. 142; **22**. 854.
Seyrs. See Sears, etc.
Seyrs, David, in army, **15**. 740.
Seyth's plantation, 9. 1065.
Shabshaw, Peter, army rank, **16**. 1161.
Shackelford. See Shackleford, Shakelford.
Shackelford, James, resurvey granted to, **4**. 1242.
Shackelford's, garrison at, **2**. 2.
Shackelsworth, Benj., 22. 456.
Shackleford, Francis, petitions for division of Orange Co., **9**. 809-810.
Shackleford, Geo., petition in favor of, **16**. 28.
Shackleford, James, land grant to, **6**. 1019, 1020.
Shackleford, Jno., in militia, **22**. 264.
Shackleford, Jno., in militia, **22**. 310.
Shackleford, John, report on militia co., **22**. 337, 342-4.
Shackleford, John, land grant to, **4**. 277, 618.
Shackleford, John, vestryman, **25**. 208.
Shackleford, Wm., in militia, **22**. 342.
Shackleford, Wm., land grant to, **4**. 353.
Shackleford, Wm., school trustee, **24**. 535.
Shackleford's Banks, 24. 505, 593.
Shackler, Philip, army rank, **16**. 1153.
Shackly, Phillip, in army, **13**. 518.

Shackston, ——, 8. 238.
Shacleford, John, land grant to, **4.** 353.
Shad, in Deep River, **9.** 88.
Shadden, James, army pay, **17.** 246.
Shaddies (Schades) family, 8. 737.
Shaddock, ——, a J. P., **3.** 537.
Shaddock, Chas., army rank, **16.** 1159.
Shaddock, Henry, land grants to, **4.** 619.
Shaddock, Josiah, land grant to, **4.** 968.
Shadford, Wm., in N. C. battalion, **13.** 343.
Shadforth, Whitak'r, army pay, **17.** 249.
Shadforth, Wittica, army rank, **16.** 1160.
Shadock, Sarah, imported, **1.** 533.
Shodoo, Capt., 1. 127.
visits Indians, **1.** 124.
Shadrack, ——, resurvey to, **6.** 770.
Shadwick, Thomas, major, **10.** 206, 530.
Shady Grove Church, 5. 1182.
Shaen, Sir Arthur, sells C., **1.** 519.
Shaen, Sir James, buys C., **1.** 519.
Shaffer, John, pensioner, **22.** 85.
Shaffner family, 8. 734.
Shaftesbury, Anthony Ashley Cooper, Earl of, **1.** 54.
a lover of liberty, **25.** iv.
a Proprietor, **1.** 71, 75, 119, 123, 162, 163, 175, 176, 177, 179, 212, 225, 230, 232, 233, 240, 241; **2.** 896.
appears as witness for Culpeper, **1.** xxii, 303-304.
at Board of Trade meeting, **1.** 328-329, 359.
at council, **1.** 74.
charter to, **1.** 20-33, 102-114.
commissions Sir John Yeamans as governor of C., **1.** 209-210; Sothell, **1.** 339.
consignments to be made to, **1.** 241.
criticises, presents charges and warns Sir J. Yeamans, **1.** 212-213, 214, 220-222.
devotion to C., **1.** 664.
draws fundamental constitutions, **2.** 898; **25.** iii.
examined on Culpeper rebellion, **1.** 284, 300-301.
first chief justice of C., **1.** 179.
gives liberty to catch whales, **1.** 338.
grant to, **1.** 42, 43, 48, 49.
has Culpeper rebellion papers, **1.** 323.
instructions to Wilkinson, **1.** 333-338.
Miller deputy to, **1.** 249; his opinion of, **1.** 316.
O'Sullivan to on S. C., **1.** 206-208.
petition of Quakers to, **1.** 250-253.
signs report on Culpeper rebellion, **1.** 326-328.
to Craven on proposed quo warranto, **1.** 353.
to Joseph West on C. affairs, **1.** 211; and the council on troubles in S. C., **1.** 213-214.
to Yeamans, **1.** 210.
Willoughby deputy to, **1.** 180, 320.
Wilson to, **1.** 342-343.
Shaftesbury Papers, 1. xvi.
extracts from, **2.** 384-386; **25.** 137-8.
quoted, **1.** 5-13.
Shaftesbury Precinct, ment'd, **1.** 254, 302.
Shaghin, David, in militia, **22.** 284.
Shakelford. See Shackleford, Shacleford.
Shakelford, James, resurvey granted to, **4.** 964.
Shakelford, John, land grant to, **4.** 964.
Shakers, by error for Quakers, **1.** 917.
Shakespeare, Wm., 22. 624, 885.
Shakleford, Jno., in militia, **22.** 263, 267.
Shalands, 4. 71.
Shallot, 10. 622.
Shallot River, 4. 53; **6.** 730.
Shallow Ford, 14. 667, 698, 699, 790; **19.** 960, 969, 982, 990; **22.** 136.
act for road from, **23.** 918-9.
battle at, **15.** 124; **22.** 113, 114, 123.
bill for road from, **9.** 404, 406, 415, 444, 513, 516, 529, 532, 584, 659.
British attacked at by Sumter, **14.** 540-541.
tories defeated at, **14.** 421, 428, 429, 713.
Shallowford of Yadkin River, 5. 1159.
Shallus, Jacob, clerk, **18.** 581.
Shaloner and White, money to, **22.** 810.
Shalot Inlet, 6. 608.
Sham, John, petition on separation, **22.** 705-10.
Shamly, John, asks for new county, **9.** 92.
Shamoken, and Indian boundary, **7.** 537.
Shan, Mr., 9. 1068.
Shanbeef, Mr., 13. 450.
Shank, Miss Carrie, assists on census

index, **26**. 239c.
Shank, Manus, pensioner, **22**. 84.
Shankland, Mr., **5**. 1201.
Shankle, Geo., pensioner, **22**. 87.
Shankle, John, petition, **21**. 235, 249, 361, 395, 607, 704.
Shanklin, James, act for land to, **24**. 629-30.
land grant to, **19**. 572.
Shanks, Jas., army rank, **16**. 1160.
petition on separation, **22**. 705-7.
Shannan, Danl., in militia, **22**. 392.
Shannan, Jas., in militia, **22**. 392.
Shannon, Alexander, killed as tory, **18**. 209-210, 224, 444-445.
Shannon, Wm., army pay, **17**. 247.
Shannon, Wm., killed, **18**. 609.
loyalist, **10**. 599.
Shannonhouse, James, a J. P., **23**. 995.
Shapahomah, at Indian congress, **11**. 179.
Shappord, Sampson, quit rents of, **22**. 247.
Share (Hare?), Starkey, sheriff, **21**. 1074.
Shark, Wm., to keep resolves of S. C., **10**. 137.
Sharon Church, **5**. 1186.
Sharp. See Sharpe.
Sharp, Mr., **5**. 134.
Sharp, Mr., **10**. 723, 731.
Sharp, Mr., pay to, **22**. 500.
Sharp, Capt., goes to N. C., **16**. 614.
on board of rearrangement, **16**. 575.
promotion, **17**. 132.
rank, **16**. 664.
roster of co., **16**. 1007, 1008, 1009, 1021, 1023, 1024, 1025, 1036, 1038, 1039, 1047, 1048, 1053, 1054, 1060, 1061, 1069, 1070, 1071, 1072, 1082, 1084, 1085, 1093, 1094, 1098-9, 1100, 1106-7, 1122, 1126-7, 1131, 1132, 1139, 1140, 1149, 1150-1, 1152, 1163, 1166, 1174-5, 1176, 1179, 1190, 1192-3, 1195.
stores to, **15**. 597.
Sharp, Adam, pensioner, **22**. 86.
Sharp, Anthony, promoted, **17**. 142.
Sharp, Anthony, takes oath of allegiance, **13**. 417-418.
Sharp, Benj., army rank, **16**. 1156.
captain, **11**. 832.
in army, **15**. 728.
reënlists, **15**. 750.
Sharp, Edward, juror, **22**. 502, 506, 508, 511.
Sharp, John, on temporary laws in the colonies, **2**. 142-143.
Sharp, Jos., in militia, **22**. 417.
Sharp, Joseph, juror, **8**. 509.
Sharp, Joseph, town coms'r, **25**. 33.
Sharp, Joseph, Jr., **14**. 22.
Sharp, Matthew, a J. P., **23**. 994.
Sharp, Peter, **8**. 737.
Sharp, Thos., officer, **22**. 701-2.
Sharp, Thos., pensioner, **22**. 87.
Sharp, Walter, lieut., **10**. 320.
to assembly on use of militia, **13**. 389-390.
Sharp, Wm., **11**. 608.
Sharp, Wm., **14**. 859.
Sharp, Wm., a J. P., **23**. 994.
Sharp, Wm., juror, **25**. 189.
Sharp, Wm., petitions on land grants, **9**. 1260-3.
Sharp, Wm., quit rents of, **22**. 243.
Sharp and Malone, to bring in horses, **15**. 699.
Sharp (Scherbs, Scheabe) family, **8**. 734, 737.
Sharp Fellow, signs treaty, **17**. 586.
Sharpe. See Sharp.
Sharpe, ——, **14**. 142.
Sharpe, Mr., nom. for attorney, **21**. 183.
Sharpe, Capt., **22**. 95, 96.
Sharpe, Col., troublesome in Barbadoes, **1**. 177.
Sharpe (Sharp), Anthony, **19**. 619.
army rank, **16**. 1158.
Cont. capt., **22**. 1049.
lieut., **10**. 945.
memorial, **19**. 518, 524; **21**. 1042.
officer, **18**. 486.
owes state, **21**. 1068.
poll clerk, **10**. 921.
promoted, **17**. 141.
rank, **16**. 73, 609.
receives pay for soldiers, **17**. 231.
Sharpe, Benj., in militia, **22**. 451.
Sharpe, Miss Edith, assists on census index, **26**. 239c.
Sharpe, Edward, in assembly, **18**. 2, 3, 24, 59, 61, 69, 90, 136, 154, 156, 160; **20**. 2, 3, 18, 39, 45, 46, 64, 72, 76, 79, 81, 82, 83, 89, 102.
Sharpe, George, claim, **9**. 489.
Sharpe, Col. Horatio (Gov. of Md.), **5**. 144*g*, 147, 367, 368.
agrees on plan of operations in French war, **5**. 144*f*-144*g*.
commander of forces in French war, **5**. 144*f*.

conference with on French war, **5**. 750-752.
Dinwiddie to on French war, **5**. 139-140.
forms plan of campaign, **5**. xxii.
succeeds Innes in command, **5**. xiii, xvii.
to command so. troops, **5**. 568.
Sharpe, James, in militia, **17**. 1056.
Sharpe, John, attends Board of Trade as solicitor for McCulloh in behalf of northern counties in representation struggle, **4**. 1225.
objections to act for appointing clerks, **4**. 577-582.
proposals for settlement ment'd, **4**. 209, 210.
solicitor to Rice, **4**. 611, 612, 614.
Sharpe, John, in conv. 1788, **22**. 7, 26, 27, 30, 32, 35.
Sharpe, John, petition on C. H., **9**. 806-807.
Sharpe, Joseph, building coms'r, **24**. 981.
Sharpe, Joseph, in militia, **17**. 1056.
pensioner, **22**. 87.
roll of company of, **17**. 1056.
Sharpe, Joseph, on proposed settlement of foreign Protestants, **4**. 213.
Sharpe, Joshua, appears at Board of Trade as solicitor, **6**. 1002; on representation act, **4**. 879, 880, 1226-1227.
Sharpe, Matthew, affidavits of, **13**. 734*n*.
Sharpe, Matthew, land of entered by Ford, **22**. 951.
Sharpe, Phil., secy. of Privy Council and signs its orders, **11**. 230.
to Bd. of Trade on S. C. boundary, **8**. 554.
Sharpe, Richard, petition on C. H., **9**. 806-807.
Sharpe, Starkey, money from, **21**. 1064.
Sharpe, Will, settler, **1**. 76.
Sharpe (Sharp), William, **11**. 563, 608; **14**. 436, 859; **15**. 92, 113.
a J. P., **23**. 994.
accounts of, **19**. 291.
allowance to as delegate to C. C., **13**. 911.
asks that accounts of Little be examined, **16**. 45-46.
attends to shipping of arms, **15**. 588.
certificate to for W. L. D., **21**. 975, 978.
claims allowed, **10**. 978.
clothing to, **14**. 715.
commissary, **10**. 938.
coms'r on building, **24**. 150; on Cherokees, **22**. 918; on county, **24**. 29; on school, **24**. 690; to sign bills, **24**. 184.
com. to settle accounts of, **16**. 63, 67, 71, 74, 77, 85, 87, 92, 133, 138, 140, 156-157, 159, 160; **19**. 21, 26, 32, 36, 41, 44, 55, 91, 111, 112, 113; to report on accounts of, **16**. 51, 55.
C. of S. to on Cherokee war, &c., **11**. 328.
enters lands, **18**. 331.
in assembly, **16**. 2, 3, 26, 38, 44, 49, 62, 65, 76, 79, 90, 99, 104, 111, 127, 130, 149, 153, 156, 162, 165, 167; **17**. 171, 186; **19**. 6, 18, 24, 42, 69, 72, 79, 87, 89, 395, 406, 408, 416, 422, 430, 442, 458, 720, 728, 729, 731, 732, 733, 735, 736, 737, 742, 751, 763, 764, 765, 767, 773, 777, 793, 794, 795, 801, 802, 808, 811, 816, 822, 824, 827, 835.
in Cont. Cong., **13**. vii, 584, 585, 689, 691, 814, 960; **15**. 533; **17**. 858, 954, 956, 976, 1046; **18**. 121, 347; commission as delegate to Cont. Cong., **15**. 607-608.
in Prov. Cong., **9**. 1179, 1180, 1181; **10**. 166, 167, 172, 915, 916, 960.
Indian commissioner, **12**. 821.
instructions to on Cherokee boundary, **15**. 704.
letter from ment'd, **11**. 328; **14**. 427, 453; on tents ment'd, **14**. 437; to and from ment'd, **15**. 194.
makes treaty of Long Island of Holston, **10**. 713.
nom. for attorney, **20**. 592; **21**. 183; for C. of S., **19**. 185, 188, 204, 311, 312, 332; for gov., **16**. 35, 37, 593; **19**. 15, 16; for treasurer, **16**. 148.
on com. of assembly, **16**. 5, 21, 23, 31, 38, 49, 68, 104, 108, 116, 128, 130, 146, 151, 152.
on com. of cor., **9**. 1073.
on com. of Prov. Cong., **10**. 168, 917, 919, 923, 930, 935, 938, 950, 951, 952, 957, 965, 972, 976, 986.
on Council of Safety, **10**. 582, 619.
on Rowan S. C., **10**. 134, 279, 280, 282, 309, 432, 434, 592.
pay to, **22**. 1015, 1016.
petition, **20**. 128, 310-311, 314, 450, 463; for Mrs. Davidson, **19**. 138, 139, 224, 225, 249, 362.

recommended as commissioner to run Cherokee boundary, **11**. 568-569.
recruiting officer, **22**. 929.
resigns from C. C., **19**. 876; as J. P., **19**. 466, 812.
returns from Cherokee campaign, **10**. 860, 861.
returns from C. C., **22**. 554.
sec'y Rowan S. C., **10**. 280, 282, 320, 435, 594, 730, 760.
to Avery on Cherokee treaty, **15**. 704-706.
to Burke on public affairs, **14**. 199-200; **15**. 119.
to Caswell on Cherokee treaty, **22**. 760; on Cherokee treaty and boundary, and Va. boundary, **11**. 566-568; on public affairs, **14**. 88-90, 154-157, 187, 211, 213-214, 216-219, 222-223, 230-231.
to Gates on public affairs and his suspension, **14**. 708-709.
to Harnett on powder, **22**. 748.
to Harrington on Salisbury Academy, **17**. 185.
to hold Cherokee treaty, **13**. 77.
to receive money from Cont. treasury, **14**. 101.
tries to banish tories, **17**. 186.
urged to come on to C. C., **15**. 58.
Sharpe, William, juror, **25**. 189.
Sharpe, William, on Barbadoes trade, **1**. 149-150.
on Barbadoes council, **1**. 151.
Sharpe, Wm., reports on Crymble and Huey grant, **4**. 253-254.
sec'y of council, **3**. 475; of Privy Council, **6**. 7-8, 15-16, 28-29, 51, 53, 54, 318, 707, 723, 1016; **11**. 28; and signs its orders, **11**. 121, 124, 125, 127, 136, 140, 142, 143, 147, 154, 156, 215.
signs instructions on acts, **6**. 43; order of Board of Trade relative to Palatines, **4**. 954; order of Privy Council, **4**. 1163, 1167; **5**. 340-341, 352, 592-594; on McCulloh's petition, **5**. 630; papers appointing Dobbs, **5**. 16-17; proceedings of council, **5**. 112-118; repeal of foreign attorneys act, **4**. 848; repeal of act for clerks, **4**. 620; report dismissing petition of Burrington, **4**. 168-169; report of Privy Council, **11**. 78; warrants of Board of Trade, **11**. 117.
Sharpless, Wm., **20**. 57.
Sharpless, Wm., voter, **15**. 237.
Sharpley, Jno., army rank, **16**. 1160.
Sharply, John, in army, **13**. 508.
Sharpsburg, Md., **13**. 87.
Sharpy, Mr., **22**. 534.
Sharrard, John, juror, **4**. 522.
Sharrard, John, land grant to, **4**. 636.
Sharrard, Jona., juror, **4**. 517.
Sharrel's Ford, **24**. 472.
See also Sherrill's Ford.
Sharrow, George, juror, **2**. 646.
Sharwood, David, law suit, **1**. 488.
sells land, **1**. 489.
witness, **1**. 551.
Sharwood, Jane, sells lands, **1**. 489.
Shaver, Catharine, affidavit considered, **17**. 315; **20**. 32.
petition, **19**. 143, 178, 255, 298.
Shaver, Mich'l, **19**. 142.
Shaver, Peter, land grant to, **4**. 1044.
Shaver, Richard, to demand powder, **10**. 136.
Shavers, Jno., army rank, **16**. 1167.
Shaw. See Schaw.
Shaw, Mr., **16**. 996.
Shaw, Mr., **19**. 919, 925.
Shaw, Mr., in assem., **20**. 216, 416, 443.
Shaw, Mrs., **19**. 918, 920, 925.
Shaw, Ensign, killed at Camden, **14**. 869.
Shaw, Lt., **22**. 94.
a prisoner, **14**. 817.
rank, **16**. 664, 665.
Shaw, Alexander, **11**. 830.
Shaw, Alexander, petitions for McDugal, **9**. 683-685.
Shaw, Amelia, act to emancipate, **25**. 37.
Shaw, Angus, land grant to, **4**. 1039.
Shaw, Archibald, petitions for McDugal, **9**. 683-685.
Shaw, Colin, property confiscated, **19**. 672; **24**. 263, 424.
Shaw, Collen, in militia, **22**. 473.
Shaw, Collon, in militia, **22**. 412.
Shaw, Collon, in militia, **22**. 412.
Shaw, Daniel, **11**. 830.
allowance to, **13**. 911; **16**. 102, 103, 105, 106; **19**. 69, 72.
army record, **13**. 476.
Cont. lieut., **22**. 1049.
officer, **18**. 486.
petition, **20**. 252, 374, 421, 450, 463.
rank, **16**. 72, 576, 608, 1157.
Shaw, Daniel, petitions for McDugal, **9**. 683-5.

Shaw, Donald, discharged from Prov. Cong., **10**. 521.
petition rejected, **18**. 26, 255.
Shaw, Duncan, army rank, **16**. 1165.
Shaw, Elizabeth, petition, **18**. 66, 75, 301, 348.
Shaw, Finley, army pay, **17**. 250.
Shaw, Gilbert, petitions for McDugal, **9**. 683-685.
Shaw, Henry, in militia, **22**. 280.
Shaw, Jas., act for land to, **24**. 629-30.
land grant to, **19**. 572.
Shaw, James, army pay, **17**. 251.
in militia, **17**. 1060.
Shaw, James, town trustee, **24**. 616.
Shaw, John, asks pardon for Hunter, **9**. 86-87.
Shaw, John, asks pardon for Hunter, **9**. 86-87.
Shaw, John, asks pardon for Hunter, **9**. 86-87.
Shaw, John, imports person, **1**. 488.
Shaw, John, in militia, **17**. 1056.
Shaw, Jno., juror, **25**. 190.
Shaw, John, land grant to, **4**. 333.
Shaw, John, petitions for McDugal, **9**. 683-685.
Shaw, John, vestryman, **25**. 208.
Shaw, John, Jr., petitions for McDugal, **9**. 683-685.
Shaw, Joseph, pensioner, **22**. 87.
Shaw, Michael, pensioner, **22**. 84.
Shaw, Neal, **5**. 1209.
Shaw, Neal, land grant to, **4**. 650, 767.
Shaw, Neil, petitions for McDugal, **9**. 683-685.
Shaw, Philip, Jr., regulator, **7**. 737.
Shaw, Robt., army rank, **16**. 1155.
Shaw (Schaw), Col. Robert, **8**. 703.
a J. P., **7**. 449.
act to emancipate slave of, **25**. 37.
advises retreat before regulators, **8**. 608.
command as col. in Tryon's army, **8**. 699-700.
coms'r on navigation, **24**. 506; on school, **24**. 511.
in regulator campaign, **8**. 594, 602, 604, 605, 606, 674.
lieut. col., in reg. camp., **22**. 871.
presd't of court martial, **8**. 673.
to value houses, **10**. 337.
warrant to, **8**. 706.
Shaw, Miss Sidney, **19**. 919, 925.
Shaw, Thos., a J. P., **6**. 339.
Shaw (Schaw), Wm., claim, **20**. 178.
petition, **19**. 447, 478, 485, 790, 827.
Shaw, Wm., ensign, **10**. 626.
Shaw, Wm., pension to, **7**. 302-303, 359, 362, 376.
Shaw, Zaccheus, army pay, **17**. 247.
Shawe, John, sells land, **1**. 609.
Shawnee (Shawneys, Shawanee, Shanees, Shawnese) Indians, **18**. 757.
acknowledge superiority of whites, **7**. 101.
attacked by Cherokees, **5**. 586.
buy negroes and treat with Br., **16**. 924.
Cherokees join expedition against, **5**. 578.
expedition against, **5**. xlviii; **5**. 561; unsuccessful, **5**. 577.
favor French, **5**. 613.
go to war against colonists, **10**. 661, 665.
location, **5**. xlvii.
oppose Indian confederacy, **17**. 159, 160.
report on, **6**. 617.
seek aid in war, **17**. 521.
send war message to Cherokees, **10**. 773-774, 776-779, 780, 782, 784, 785.
treaty with, **18**. 513-15.
visit Cherokees and hostages to be had from, **10**. 782.
war with, **5**. xxvii, xlix, 1148.
Shawnee (Shawanese, Shawnese) Town, **10**. 376, 386.
Shawno, Kernepino, signs Indian treaty, **18**. 514.
Shaw's old field, **25**. 48.
Shaw's road, **5**. 162; **22**. 314.
Shay's Rebellion, **18**. 783, 793, 794.
Shean, Morris, act for land to, **24**. 629-30.
land grant to, **19**. 572.
Shearin, Frederick, pensioner, **22**. 86.
Shearing, Charles, act to pardon, **24**. 311.
bill to pardon, **13**. 860, 861, 862, 950, 954, 955, 956, 961.
Shearing, Jno., in militia, **22**. 372.
Shearing, Joseph, to procure arms, **10**. 556.
Shearman. See Sherman.
Shearman, John, takes oath, **22**. 168.
Shearman, John, takes oath, **22**. 169.
Shearman, Michael, takes oath, **22**. 168.
Shearrard. See Sherrard, Sherrod.
Shearrard, Jno., in militia, **22**. 283.
list of company in Sp. alarm, **22**. 282-3.

Sheaver, John, arrested for not going to war, **2.** 125.
Shed, Dr., **14.** 160.
Sheels. See Sheilds, Shields.
Sheels, John, town coms'r, **24.** 23.
Sheen, Daniel, asks for lapse patent, **2.** 495.
Sheep, act on strays, **24.** 100-2, 400.
considered, **8.** xlvii.
Sheets, David, army rank, **16.** 1166.
Sheets, Jaco., vestryman, **23.** 8.
Sheets, Jacob, a J. P., **2.** 608; **3.** 244, 537.
appears before council on list of Palatines, **4.** 964-965, 967.
asks for stay of land warrant; **4.** 854-855.
land grant to, **4.** 62, 709, 712.
ordered to pay money to Stanley, **4.** 948.
petition of in relation to land, &c., **4.** 618, 632.
rights proved, **4.** 615.
road coms'r, **23.** 222.
Sheets, Jacob, juror, **25.** 190.
vestryman, **2.** 209.
Sheffield, ——, **16.** 960, 962.
Sheffield, Wm., army rank, **16.** 1165.
Sheffield of North Carolina, **10.** 650.
Shehan, Miles, petitions for Windsor as C. H., **9.** 804-805.
Shehan, Thomas, petitions for Windsor as C. H., **9.** 804-806.
Shehorn, Wm., army rank, **16.** 1161.
Sheilds. See Sheels, Shields.
Sheilds, Andrew, to seize goods of debtor, **10.** 593.
Shelbeck, ——, allowance to, **19.** 371.
Shelburn, Joseph, lands to be resurveyed, **4.** 217.
Shelburne, Earl of, **7.** 266, 437; **8.** 4, 11, 153, 158, 166, 167; **9.** 5, 993.
at Privy Council, **11.** 212-215.
Bd. Trade to on civil establishment of N. C., **7.** 447-448; to on Indian boundaries, **7.** 536-538.
commends Tryon, **8.** 54.
letters from ment'd, **7.** 501, 545, 548, 673, 684, 987, 988; on cost of gov't of N. C., **7.** 449-450; sent to, **7.** 291.
sends seal, **7.** 532, 533.
signs commission of McGuire, **11.** 212; of Strudwick, **11.** 210.
to prepare warrant for King's signature, **11.** 211, 215.
to Tryon on collections, **7.** 535; on assuming control of So. dept. and repeal of order by King, **7.** 250-251; on Indian affairs, **7.** 254-255, 438-9; on public affairs, **7.** 471-472, 530-531.
Tryon sends panther to, **7.** 445; to on assembly journals, **7.** 434-435; on Cherokee bounds, **7.** 500-501, 508, 509-510; on civil constitution of N. C., **7.** 472-491; on court appointments, &c., **7.** 697-698; on exchequer ct., **7.** 498-499; on frauds in trade, **7.** 497-498; on Indian affairs, **7.** 737-738; on laws passed in 1768, **7.** 693-697; on laws passed in 1766, **7.** 430-434; on method of land grants, **7.** 511-512; on methods of selling land, **7.** 529-530; on necessity of currency, **7.** 678-679; on taxables, **7.** 499; on need of solicitor gen., &c., **7.** 425-426; on palace, ct. of claims and co. clerks, **7.** 442-443; on public funds, **7.** 497, 512-513; on qualification of Howard as C. J., **7.** 434; on quit rents and purchase of Granville's district, **7.** 513-514; on salary for council, **7.** 698-699; on resignation from assem. and Cherokee boundary, **7.** 692-693; on sending correspondence on gov't to Eng., **7.** 267.
Shelburne, Lord, **16.** 955.
Shelby. See Selby.
Shelby, Col., **22.** 648.
Shelby, Maj., thanked for King's Mountain and sword to, **17.** 696-697, 704, 710, 739, 783.
Shelby, Evan, **10.** 782; **20.** 130, 654.
agreement with Sevier on Franklin, **22.** 674-5.
bill to vest lands in, **17.** 658, 662, 740, 744, 748.
brig. gen., **22.** 673.
coms'r on building, **24.** 968; on town, **24.** 857.
Hutchins to on Franklin affairs, **20.** 679-680.
in assembly, **17.** 635, 670, 705.
letter from ment'd, **15.** 194.
militia officer, **22.** 618.
nom. for brig. gen., **18.** 179, 450, 459.
Shelby to on King's Mountain, **15.** 141-142.
to Caswell on aid against Franklin, and answer, **22.** 680-2, 684, 687-688; on encroachments on Chero-

kees, **14**. 235-236; on Franklin State, **22**. 671-2; and agreement on same, **20**. 646-648, 689-691, 693, 710-712; on resigning as brig. gen., **22**. 689.
to Martin on Franklin State, **22**. 647-8.
Shelby, Frank, payment to for money borrowed, **12**. 611.
Shelby, Isaac, **16**. 156; **18**. 48; **22**. 99, 139, 158, 648(?).
account of King's Mountain by, **15**. 104-111.
allowance to, **13**. 910.
and Indian expedition, **16**. 512.
and King's Mountain battle, **14**. 685; **15**. 100, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 126, 131, 133, 135, 136, 163, 164, 165, 372.
commands on frontier, **14**. iv.
commissioner on boundary, **24**. 301; on land, **24**. 421, 483, 569.
defeats Ferguson, **14**. 428.
goes home to raise new company, **14**. 749-750.
harasses Br., **14**. 434.
in assembly, **16**. 55, 127, 153, 156, 165, 167; **19**. 42, 70, 73, 87, 89, 396.
joins other troops for King's Mtn., **14**. 786.
kills young Bench, **17**. 12.
losses at King's Mtn., **14**. 675.
Martin to on Cherokee expedition, **16**. 696, 697, 698; on laying off soldiers' lands, **16**. 713.
no troops under, **19**. 996.
nom. as brig. gen., **16**. 148.
on com. of assembly, **16**. 68, 101, 109, 128, 130; **17**. 636, 647, 659, 721, 736, 743.
payment to, **17**. 711, 712, 789, 790.
pursues Ferguson, **15**. 94; Indians, **11**. 609.
quoted on King's Mtn., **15**. x-xi.
sent against Indians, **16**. xi.
surprises enemy, **15**. 665; Br. at Monk's Corner, **19**. 885.
thanked for King's Mtn. and sword to, **17**. 696-697, 704, 710, 739, 783, 787-788, 789.
to Campbell on King's Mt'n, **15**. 116-117.
to command against Chickamaugas, **13**. 539, 634.
to destroy Chickamauga settlements, **14**. 244, 246.
to Gates on troops for King's Mtn., **14**. 663-664.
to guard frontier, **2**. 428.
to Shelby on King's Mtn., **15**. 141-142.
Shelby, Jno., a J. P., **23**. 995.
petition, **20**. 138, 319.
resigns from militia and as J. P., **19**. 178, 289.
Shelby, Moses, asks pardon for regulators, **9**. 98-99.
Shelby, Moses, in militia, **22**. 396.
Shelby, Rece, in militia, **22**. 395, 397.
Shelby, Richard, land surveyed for, **6**. 765.
Shelby, Solomon, in militia, **17**. 1056.
Shelby's, General, **22**. 676.
Sheldon, Col., **12**. 467.
rank settled, **12**. 528.
to parade, **12**. 527.
Sheldon, Lt. Col., rank of settled, **12**. 528.
Sheldon, S. C. (or Ga.?), **14**. 341.
Sheleworth, Jos., petition on new county, **9**. 89-90.
Shelfer, Mich., land grant to, **4**. 344, 602.
petitions for lands, **4**. 954-956.
Shellebee & Mayhol, to deliver powder, **19**. 224, 360.
Shelley, Maj., **10**. 901.
Shells, **26**. 1004.
to be sent to Earl Halifax, **5**. 160.
See also Oyster banks.
Shelly, John Phillip, land grant to, **4**. 628.
Shelly, Moses, riotous over land, **6**. 780.
Shelly's (Widow), Br. at, **14**. 559.
Shelton, Mr., asked for account of Great Deed of Grant, **3**. 396.
attends Board of Trade meeting, **2**. 816.
confers with Board of Trade on Yemassee war, **2**. 193.
memorial, **3**. 396.
questioned on Great Deed of Grant, **3**. 632.
reports to Board of Trade on Great Deed, **4**. 325.
secretary of proprietors, **2**. 816.
signs grant to Lowndes, **3**. 211.
to be asked about proprietors' seal, **4**. 213.
Shelton, Mr., petitions for land, **3**. 631-632.
Shelton, David, in assembly, **16**. 1;

19. 233, 235, 263, 282, 286, 295, 299, 319, 324, 334, 354, 359, 504, 613, 614, 622, 643, 667, 671, 675, 676, 682, 688, 714.
receives clothing, **16**. 619.
resigns as J. P., **21**. 611.
sheriff of Caswell, **11**. 526.
Shelton, Jas., army rank, **16**. 1162.
Shelton, John, land grant confirmed, **24**. 447.
petition, **21**. 248.
Shelton, R., secretary of Board of Trade, **2**. 63.
signs instructions, **1**. 853.
Shelton, Samuel, **9**. 1232.
Shelton, Thos., in militia, **22**. 340.
Shelton Creek, **24**. 447.
Shenandoa Ferry, **5**. 578.
Shenandoah Valley, **5**. 1201.
route through, **4**. xxi.
Shenault, Benj., pensioner, **22**. 84.
Shennon, Jas., in militia, **22**. 417.
Shepard. See Shepherd, Sheppard.
Shepard, Capt., escorts prisoners, **22**. 98.
roster of co., **16**. 1006, 1016, 1017, 1033, 1045, 1058, 1067, 1078, 1092, 1115, 1126, 1136-7, 1141, 1147, 1159, 1172, 1187.
Shepard, Col., **22**. 94, 142.
Shepard, Benj., a J. P., **9**. 1028.
Shepard, Benj., in militia, **22**. 340.
Shepard, Bird, army rank, **16**. 1166.
Shepard, David, in militia, **22**. 263.
Shepard, David, in militia, **22**. 307.
Shepard, David, land grant to, **4**. 589, 962.
report on accounts, **5**. 802, 803, 804.
Shepard, David, Jr., a J. P., **4**. 1038.
Shepard, Ed., in militia, **22**. 266.
Shepard, Geo., in militia, **22**. 340.
Shepard, Henry, exempted, **7**. 942.
Shepard, Jacob, building coms'r, **23**. 832.
dead, **9**. 738, 739, 874.
in assembly, **8**. 106, 107, 128, 131; **9**. 136, 138, 140, 141, 195, 216, 223, 383, 384, 386, 390, 398, 424, 442, 447, 448, 453, 463, 464, 466, 478, 498, 533, 546, 580, 587, 734; on com. of assem., **9**. 141, 152, 381, 450, 451.
recommends McCartney, **9**. 61-62.
surety, **19**. 592-593.
Shepard, Jno., army rank, **16**. 1153.
lieut. col. for militia, **14**. 333.
Shepard, Smith, in militia, **22**. 341.
Shepard, Solomon, **22**. 740.
Shepard, Thos., rights proved, **4**. 625.
Shepard, Valte, army rank, **16**. 1166.
Shepard, Wm., army pay, **17**. 246.
Shepard, Wm., army rank, **16**. 1155.
Shepard, Wm., army rank, **16**. 1159.
Shepard, Wm., army rank, **16**. 1163.
Shepardson, Bartlet, in militia, **22**. 376.
Sheperd, Ed., in militia, **22**. 264.
Sheperd, Ed., in militia, **22**. 265.
Shepert, David, juror, **25**. 190.
Shephard. See Shepard, Shepperd.
Shephard, Ab'm, in militia, **22**. 331.
Shephard, Cuprian, land grant to, **4**. 965.
Shephard, David, a J. P., **4**. 1038.
Shephard, David, land grant to, **4**. 635.
Shephard, John, army pay, **17**. 250.
Shephard, York, affidavit on Indian allies of, **10**. 725.
Shepherd, Abram, allowance to, **22**. 833.
Shepherd, Andrew, in militia, **22**. 412.
Shepherd, And., in militia, **22**. 473.
Shepherd, Benj., to hold election, **10**. 507.
Shepherd, David, road coms'r, **23**. 221.
signs Cumberland Co. Ass'n, **10**. 29-30.
surety, **5**. 422-423.
Shepherd, Jacob, port coms'r, **23**. 827.
Shepherd, Jacob, witness, **5**. 340.
Shepherd, James, lieut., **10**. 518.
Shepherd, John, in army, **15**. 728.
Shepherd, Jno., in militia, **22**. 473.
Shepherd, Solomon, lieut. colonel, **10**. 206, 530.
on S. C. of Pitt, **10**. 62.
Shepherd, Thomas, land grant to, **4**. 710.
Shepherd, Wm., army pay, **17**. 246.
in militia, **17**. 1060.
Shepherd family, **8**. 734.
Shepherd's Ferry, inspection at, **25**. 380.
Shepherd's Landing, tobacco inspection at, **23**. 736, 792.
Sheply, Conrad, petition on separation, **22**. 705-12.
Sheppard. See Shepard, Sheperd, Shephard, Shepherd, Shepperd, Shiphard.
Sheppard, ——, suit against for land, **7**. 16.
Sheppard, Mr., in assem., **22**. 480.
Sheppard, Capt. A., **11**. 472.

Sheppard (Shepperd, Sheperd, Shepherd, Shepard), Col. Abraham, 11. 506, 573, 645, 647, 676, 678, 683, 718.
allowance to, **22.** 846.
allowed to draw money for recruiting, **12.** 31.
allows Gregory to resign, **13.** 419.
army rank, **16.** 1159.
at Halifax, **13.** 190.
battalion of put on Cont. establishment, **11.** 558, 729, 730, 737, 738; sent to Cross Creek against tories, **11.** 538.
Caswell to on failure of his officers to obey orders, **11.** 587-588; on money for recruits, **11.** 496-497; on ordering troops north, **11.** 614-615.
colonel, **10.** 206, 531, 943, 950, 951; of troops for S. C., **10.** 931; in Cont. service, **11.** 457.
commands 10th regiment, **11.** 670.
committee to inquire into conduct of and report, **12.** 131-135, 156-157, 293-298, 318.
debts due by, **8.** 278-279.
difficulties in recruiting, **22.** 919.
dues from as sheriff, **9.** 574.
goes north with reg't, **11.** xv.
in assembly, **6.** 362, 381, 478, 482, 483, 489, 493, 513, 514, 519; **7.** 320, 324, 331, 342, 343, 371, 397, 402, 410, 556, 567, 578, 598, 631, 638, 897, 902, 908, 926, 937, 949, 957; **8.** 99, 107, 108, 125, 128, 131, 145, 294, 303, 305, 320, 326, 355, 360, 392, 408, 409, 413, 421, 422, 445, 454; **13.** 923, 925, 949, 966, 975, 980, 988, 990, 1000; **19.** 384, 386, 390.
in C. of State, **17.** 310, 337; **19.** 465, 473, 809, 819; **20.** 49.
in Prov. Cong., **10.** 165, 167, 173, 500, 515, 523, 529, 914, 915.
instructions to on recruiting, **11.** 467-468.
observations on delay in movements of battalion of, **11.** 679-681.
on clothes for 10th regiment, **11.** 670-671.
on com. of assem., **7.** 345, 571; **8.** 90, 110, 111, 118, 141, 288, 308, 309; **9.** 105.
on com. Prov. Cong., **10.** 522, 917, 919.
orders to for 10th regt., **22.** 904-5.
plan of raising battalion of, **11.** 738.
position of regt. in army, **12.** 508.
putting troops of on Cont. estab. considered, **11.** 500-501.
raises the 10th reg't, **11.** xiv-xv, 602, 603.
recommended to command battalion, **11.** 728.
regiment vaccinated, **13.** 68.
regimental paymaster appointed for, **12.** 97, 98.
removed as sheriff, **6.** 771.
report of com. to inquire into conduct of, etc., **22.** 779-783.
reports on 10th N. C. brigade, **13.** 531; on recruits for 10th regt., **22.** 925-6.
resolution of Cont. Cong. on battalion of ment'd, **11.** 501, 507; to appoint him colonel of reg't with power to appoint his own officers, **12.** 19.
roster of reg't, **16.** 1006-1008, 1016-1024, 1033-1038, 1045-1048, 1052-1054, 1058-1061, 1067-1071, 1078-85, 1087, 1091-94, 1098-9, 1104-7, 1115-22, 1126-7, 1130-1, 1136-40, 1141, 1147-51, 1159-1167, 1172-5, 1176, 1179, 1187-93.
success in recruiting, **11.** 494.
to arrest Harrison and Taylor, **11.** 305; loyalists, **10.** 635, 638, 639.
to Caswell on battle of Germantown, **11.** 662; on bounty money, **11.** 465-466; on his reg't, **13.** 82-83; on lack of clothing for troops, **11.** 651-652, 662; on needs of his reg't, **13.** 48-49; on pay for recruits, **11.** 472; on raising troops for the north, **11.** 430-432.
to give orders to Vance, **22.** 905.
to guard stores in transit, **22.** 925.
to raise regiment, **11.** 470.
to take troops to Cross Creek, **11.** xviii.
troops of winter at Georgetown, **13.** vii.
Vance to report to, **11.** 616.
Sheppard, Abraham, enlists troops, **11.** 465-466.
to go north, **11.** 431.
Sheppard, Abraham, land grant to, **4.** 703, 761.
Sheppard, Abraham, Jr., captain, **10.** 936.
dropped as J. P., **5.** 657; **6.** 1007.
resurvey to, **6.** 770.

takes deposition, **8**. 201.
Sheppard, Abram, debts due by, **8**. 278-279.
Sheppard, Abram, in militia, **22**. 309.
Sheppard, Abram, on claims com., **22**. 853.
Sheppard, Abram, Jr., witness, **18**. 252.
Sheppard, Abram, Sr., witness, **18**. 252.
Sheppard, Arrington, army pay, **17**. 250.
Sheppard (Shepperd), Benj., accounts of confiscated property, **18**. 169, 192, 198, 419, 427.
allowance to, **19**. 398.
arrested for fraud, &c., **18**. 21-22, 36, 71, 251, 304, 318.
coms'r on confiscated property, **16**. 167, 169, 175; **19**. 119, 122, 123; **21**. 384, 1056, 1057.
deposed as paymaster of 10th regt., **12**. 134-135, 296-297, 364.
in assembly. **17**. 879, 936, 943; **19**. 392, 396; **20**. 308, 345, 346, 347, 369, 372, 380, 425, 427, 431, 455; **21**. 20, 21, 52, 190, 193, 195, 207, 208, 247, 332, 344, 346, 367, 372, 379, 382, 398, 403, 404, 433, 581.
in conv. 1788, **22**. 2.
in conv. 1789, **22**. 43, 47, 48.
memorial, **18**. 111; **20**. 209, 380, 400, 454-455; **21**. 219, 250, 379, 591, 608, 685-686, 702.
nom. for C. of S., **19**. 188, 204, 312, 332, 465, 466, 809.
report on accts. of, **19**. 223, 360.
sells lands, **20**. 255.
suit against, on lands, **18**. 223.
to procure arms, **10**. 525.
Sheppard, Benj., arrested for passing counterfeits and bailed, **10**. 635, 638.
paymaster and counterfeiter, **22**. 782.
Sheppard, David, a J. P., **4**. 966.
asks for land, **4**. 275.
Sheppard, David, in militia, **22**. 265.
Sheppard, David, Jr., a J. P., **4**. 966.
Sheppard, Jacob, memorial on school, **7**. 35-36.
Sheppard, Jacob, town coms'r, **25**. 112.
Sheppard, James, pay to, **22**. 1013.
Sheppard (Shepperd), James, resigns in favor of Gillespie, **22**. 558.
to Burke with resignation, **22**. 555.
Sheppard, Jane, petition, **21**. 274, 622, 632.
Sheppard, John, army pay, **17**. 246.
army rank, **16**. 1152.
arrested for fraud, &c., **18**. 21-22, 36, 71, 108, 251, 303, 335.
colonel, **22**. 963.
convicted of fraud, **20**. 630.
in assembly, **19**. 492, 613, 622, 643, 671, 675, 676, 688, 717, 719, 805, 808, 816, 824, 832, 835.
on clothes for 10th regt., **11**. 670-1.
receives pay for soldiers, **17**. 189, 191, 192, 193, 195, 197, 199, 201, 204, 208, 211, 213, 214, 217, 219, 222, 223, 227, 232, 235, 238, 239, 240, 242, 243, 244, 246, 247, 248, 249, 250, 253, 257, 258, 260.
suspended as J. P., **20**. 260, 271.
Sheppard, John, deposition, **6**. 758.
Sheppard, John, in army, **13**. 510.
Sheppard, Jno., in militia, **22**. 307.
Sheppard, Jno., in militia, **22**. 359.
Sheppard, John, in N. C. brigade, **13**. 427.
Sheppard, John, petitions on loss of vessel and cargo, **12**. 140, 146, 262-263, 306.
Sheppard, John, town trustee, **24**. 614.
Sheppard, John, wrecked and robbed, **12**. 447-448.
Sheppard, John Baptista, a J. P., **6**. 343.
Sheppard, Meacham, to recruit, **13**. 83.
Sheppard (Shepard, Sheperd), Solomon, a J. P., **23**. 993.
clears himself of accusation, **10**. 99.
commissary, **10**. 989.
in assembly. **9**. 839, 846, 854, 874, 889, 902, 903, 915, 930, 952, 1188, 1189; **12**. 655, 657, 699, 736, 841, 872, 880; **13**. 645, 690, 697, 708, 709, 712, 717, 721, 988; **19**. 377, 380, 383, 385.
in Prov. Cong., **9**. 1178, 1180, 1181; **10**. 165, 166, 172, 500, 501, 523, 560, 913, 915, 960.
on com. of assem., **9**. 1197.
on com. of Prov. Cong., **10**. 168, 504, 509, 917.
on S. C. of Pitt, **10**. 37, 62.
opposes contributions to Boston, **9**. 1154.
recruiting officer for, **22**. 928.
to value land for salt works, **10**. 621.
Sheppard, Solomon, dismissed by court, **2**. 475.

Sheppard, Stephen, quit rent of, **22.** 257.
Sheppard, Stephens, in militia, **22.** 359.
Sheppard, Thos., patroler, **10.** 451.
Sheppard, Valentine, pensioner, **22.** 86.
Sheppard (Shepherd), Wm., act for town on lands of, **24.** 305-6.
army contractor, **13.** 415; **24.** 157; resigns as army contractor, **12.** 650-651, 760, 761.
bill for town on lands of, **13.** 863-864, 880, 884, 895, 974, 985.
committee to reëxamine accounts of and report, **10.** 997-998.
fined, **9.** 652.
in assembly, **12.** 549, 562, 573, 588, 594, 595, 617, 622, 632, 633, 764, 779; **13.** 532, 549, 553, 554, 825, 858, 863, 864, 880, 882, 883, 894, 898, 925, 934; **17.** 264, 266, 351, 354, 359, 365, 366, 368, 387, 394, 424, 635, 669, 705, 715, 795, 870, 872; **19.** 32, 42, 82, 89, 101, 102, 116; **20.** 119, 121, 139, 163, 164, 167, 238, 239, 246, 285; **21.** 1, 3, 21, 47, 52, 189.
in conv. 1788, **22.** 1, 4, 25, 29, 32.
lieut. col., **14.** 264.
nom. for entry taker, **19.** 225, 362.
on clothes for 10th regt., **11.** 670-671.
on com. of assem., **12.** 552, 553, 659, 767, 772; **13.** 559, 616, 659, 826, 915; **16.** 63, 71, 131, 132, 144; **17.** 637, 646, 647, 721, 727, 730, 755, 837, 850, 932, 948.
petition, **21.** 823, 926, 935, 989, 995.
powder to, **11.** 333, 334, 688.
salt to, **10.** 643.
to hold election, **10.** 356.
to pay for salt, **10.** 999.
witness, **18.** 252.
Sheppard, Wm., ensign, **10.** 936.
Sheppard, Wm., in conv. 1788, **22.** 3, 6, 26, 28, 30.
Sheppard, Wm., land grant to, **4.** 851.
Sheppard, Wm., pay to, **22.** 1013.
Sheppard, Willoughby, army rank, **16.** 1166.
Sheppard's Creek, 24. 473.
Shepperd, Mr., in assembly, **16.** 153, 156, 165, 167.
Shepperd, David, a J. P., **4.** 346.
Shepperd, David, Jr., a J. P., **4.** 712.
Shepperd, Jacob, boundary coms'r, **24.** 235.
in assembly, **13.** 914, 925, 966, 975, 980, 990, 1000.
Shepperd, James, captain, **17.** 966.
Shepperd, John, goes for bounty money, **11.** 465, 466.
Shepperd, John, in militia, **22.** 412.
Shepperd, S., on com. of assembly, **12.** 824, 831; **13.** 733.
Shepperd, Wm., lieut. col. of light horse, **13.** 734*g*.
Shepperd's, Abraham, inspection at, **24.** 582.
Sheppherd, Abraham, Jr., a J. P., **5.** 657.
Sherar, John, land grant to, **4.** 588.
Sherard, Aaron, in militia, **22.** 377.
Sherard, Arthur, in militia, **22.** 273.
Sherbourn, Col., 12. 514.
Sherbourne, Joseph, land grant to, **7.** 228.
Sherburn, Jos., land grant to, **4.** 221.
Sherburne, Thos., 18. 688.
Shergold (Shergoold), Wm., a J. P., **4.** 713.
allowance to, **22.** 817.
county clerk, **5.** 320, 352-353.
in assembly, **4.** 771, 773, 790, 815, 1190; **5.** 232, 246, 263, 268, 275, 282, 288, 301, 515, 552, 558, 660, 688, 691, 843, 854, 867.
inspector, **6.** 109.
land grant to, **4.** 767.
on com. of assem., **5.** 240.
petition on trade, **5.** 321-324.
report on regiment, **5.** 162.
sheriff, **4.** 1181.
Shergolds, 24. 529.
Sheriffs, 2. 67.
accounts of to be kept by public treasurer, **6.** 199.
act creating, **4.** viii; for relief of, **24.** 964-5; for them to seize property left by British, **24.** 901; act on, **23.** 505; considered, **6.** 69, 70, 71, 72; on commissions to, **23.** 674; on duties, **23.** 424-32, 529-30, 713-23, 789-90; **24.** 94-100, 272; **25.** 81, 276-7; with insolvents, **23.** 970; to appoint, **24.** 94-100, 272; **25.** 81, 519; and commission, **24.** 39-42; to appoint instead of marshals and fix duties, **23.** 122-127, 129-130, 217-218, 335, 337, 424-32; to ascertain fees, **23.** 280; **24.** 170, 207, 208, 314-5, 399, 400, 666; to direct in levying executions, **23.** 765, 833-5; **25.** 514-15; to extend

time of for settling, **23**. 767-8, 841, 863; **25**. 520-1; to indemnify, **23**. 840-1; to make them coms'rs of public property, **24**. 495-6.
alias notices to be served against defaulters, **10**. 463-464.
appointed in Orange and Caswell, **11**. 526; in place of provost marshal, **4**. 347.
appointment of, **9**. 1158; discussed, **8**. 266; **10**. 245; proposed, **4**. 249; should be in governor's hands, **10**. 404; **11**. 727.
bill for appointing, **4**. 362, 363, 365, 366, 368, 379, 380, 382, 389, 390, 391, 393, 394, 396, 408, 411, 414; and directing in office, **13**. 838-839, 843, 844, 931, 934, 947; for in Transylvania, **9**. 1274, 1275, 1279; for them to recover Br. property, **20**. 211, 221, 237, 248, 249, 407, 430, 443; for relief of, **20**. 539, 548; for relief of and for settling accounts, **21**. 95, 106, 109, 111; on fees, **20**. 179, 230, 255, 265, 266, 354, 378, 420; to amend act for, **4**. 776, 779, 780, 781, 782, 790; **7**. 595, 596, 604, 608, 612-613, 623, 625, 628, 642, 647, 650, 652, 668, 694, 695; **9**. 457, 553; **12**. 245, 256, 264, 347, 354, 394, 428; **13**. 356; and regulate, **5**. 502, 503, 504, 506, 508, 515, 530, 531, 532, 538, 540, 541, 553; to amend act appointing and directing, **8**. 295, 298, 326, 328, 336, 341, 348, 391, 393, 429; to ascertain fees of, **12**. 595, 614, 617, 625, 626, 653, 702, 703, 718, 721, 733; to consolidate acts on, **7**. 576-7; to direct in execution of office, **9**. 124, 127, 143, 148, 149, 181, 194, 197, 206, 207; to direct in levying executions, **7**. 896, 899, 901, 902, 907, 920, 929, 935, 937, 941, 943, 947, 949, 956, 960, 961, 977; **8**. 345, 347, 353, 356, 360, 361, 363, 365, 371-372, 383, 387, 405, 411, 419, 423-424, 437, 449, 450, 478; **9**. 392, 397, 400, 437, 443, 446, 473, 474, 481, 483, 497, 504, 583, 586, 620, 662; to direct in levying taxes, **8**. 302; to direct with respect to insolvents, **9**. 718, 720, 725, 758, 761, 765, 774, 776, 836, 839, 847, 861, 882, 884, 889, 896, 904, 906, 927, 1012; to enlarge time for settling accounts, **7**. 899, 900, 905, 913-914, 921, 938, 940, 942, 945, 953, 969, 970, 977; **8**. 290, 291, 310, 315, 330, 364, 384, 427, 431, 432-433, 434, 477; **9**. 113, 119, 121, 135, 164, 167, 183, 185, 186, 187, 221, 256; to increase fees of, **7**. 304, 305, 306, 317, 320, 321, 338, 367, 369, 371, 397, 399, 421; to indemnify for not collecting taxes, **8**. 356, 359, 365, 383, 407, 411, 412, 416-417, 420, 433, 434, 478-479; to investigate accounts, **4**. 827, 829; to regulate election, **6**. 174, 175, 178, 184, 187, 189, 192, 200; to regulate fees, **13**. 578.
blank commissions for to be issued by governor, **12**. 618, 623, 738-739, 757.
bonds of, **9**. 1062; **10**. 30-31; **23**. 529-30.
chosen by J. Ps., **7**. 480.
commission for, **7**. 91.
debts due from to State, **21**. 1071-1079.
default, **7**. xvii.
demanded by people, **4**. 175.
directions to on collecting taxes, **10**. 971.
duties, **7**. 487; **25**. 524; performed by marshal, **3**. xiii-xiv.
embezzle funds, **7**. 497.
Eng. acts on in force in N. C., **23**. 319, 321.
estimates of dues from, **9**. 572-5.
failure to settle cause regulation war, **8**. 637.
favorable report on law regulating, **6**. 20.
fined for neglect, **13**. 420.
good effects of law for, **4**. 415.
hardships caused by, **4**. 745.
instruction on allowance of claims, **5**. 544-545; to in matter of elections, **12**. 68-69, 75.
law for ment'd, **4**. 424; discussed, **9**. 631; regulating needs amendment, **9**. 706.
list, **4**. 347, 348, 889, 946, 947, 949, 953, 1181, 1182, 1183, 1194, 1195; **5**. 163, 245, 822, 824, 826, 938, 940, 965, 976, 977, 978, 980, 982, 983, 985, 1024, 1082, 1083, 1084; **6**. 59, 204, 210, 211, 212, 213, 214, 378, 739, 740, 741, 742, 743, 771, 856, 895, 1013, 1016, 1077; **7**. 91, 526, 742; **8**. 26, 149, 388, 372.
many insolvent, **9**. 235.

Martin on law for, and answer, **9**. 379, 455.
method of collecting money from, **23**. 905; of prosecuting, **25**. 414.
notes on act to direct in executions, **8**. 5, 9.
opposed by regulators, **8**. 178-179, 192-193, 195.
opposition to denounced, **8**. 139.
ordinance for appointing, **10**. 991; **23**. 992-6.
ordinary keepers not to be, **4**. 951.
pay of too small, **7**. 294.
per cent paid to for collection, **5**. 145.
petition on fees, **19**. 508, 509, 512, 519, 522.
power in England, **4**. 545.
public money lost by negligence of, **8**. 94. 105.
qualifications, **25**. 130.
refuse to collect quit rents, **6**. 78.
resolution on resisting, **8**. 152.
salary, **6**. 743.
special payment to, **4**. 807.
thriftlessness of, **6**. 990.
to advance money for troops, **12**. 740, 850.
to be appointed by governor, **9**. 983.
to be in each county, **23**. 984.
to be prosecuted, **4**. 834.
to be sued, **4**. 1292.
to pay public moneys to treasurers, **23**. 273-5.
to report accounts to Prov. Cong., **10**. 873.
troubles from, **7**. 551, 570.
Sherive, Robert, petitions for land, **2**. 168.
Sherley, Thos., army rank, **16**. 1163.
Sherlock, Bishop, **7**. 153.
Sherlock Dr., Bp. of London, **7**. 493. See also London, Bp. of.
Sherlock, Maj., and Briar Creek battle, **14**. 282.
Sherlock, Dennis, claims, **4**. 531.
messenger to assembly, **4**. 494.
Sherman. See Shearman.
Sherman, Mr., on Board of War, **13**. 496.
Sherman, Lieut. Col., and battle of Stoney Point, **14**. 337.
commands marksmen, **12**. 530.
field officer, **12**. 502, 522.
Sherman, Christopher, deserter, **11**. 742.
Sherman, Michael, marshal, **1**. 490, 510.
Sherman, Roger, debates in C. C., **11**. 385; **20**. 632.
on com. of C. C., **17**. 119.
Sherman, W. T., compared to Tryon, **8**. xxxviii.
Sherman's, **5**. 1204, 1205.
Sherod, Jordan, pensioner, **22**. 86.
Sherrad, John, in militia, **22**. 310.
Sherral (Sherrill), Wm., claims allowed, **9**. 414, 527, 528, 536; **22**. 878.
Sherrard. See Shearrard, Sherrod, Sherrud.
Sherrard, Arthur, juror, **4**. 521.
Sherrard, Benj., in militia, **22**. 283.
Sherrard, Edwd., army rank, **16**. 1160.
Sherrard, Jordan, army rank, **16**. 1160.
Sherrard, Richd., army rank, **16**. 1161.
Sherrard, Robt., in militia, **22**. 282.
Sherrard, Simon, in militia, **22**. 282.
Sherrel, Wm., claim, **9**. 488.
Sherrel, Wm., land grant to, **4**. 1034.
Sherrell. See Shirrel.
Sherrell, ——, a rebel, **1**. 261.
Sherrell, Adam, asks for new county, **9**. 92.
Sherrell, Adam, Watauga to be annexed, **10**. 708-710.
Sherrell, Aquilla, fine remitted, **10**. 3.
Sherrell, Samuel, asks for new county, **9**. 92.
Sherrell, Samuel, Jr., Watauga to be annexed, **10**. 708-710.
Sherrell, Samuel, Sr., Watauga to be annexed, **10**. 708-711.
Sherrell, Ute, asks for new county, **9**. 92.
Sherril, Pershannah, claims allowed, **6**. 213.
Sherril, Ulte, claims allowed, **6**. 211.
Sherrill, Moses, petition on location of C. H., **13**. 352-354.
Sherrill's Ford, **14**. 646; **19**. 969, 990; **22**. 113; **23**. 870; **24**. 472.
light house for, **10**. 774, 775.
Sherrin, Jacob, army rank, **16**. 1154.
Sherrod. See Shearrard, Sherrard.
Sherrod, Mr., in assem., **18**. 807.
Sherrod, Benj., **25**. 466.
Sherrod, Benj., army rank, **16**. 1163.
in assem., **19**. 489, 490, 613, 614, 616, 622, 643.
Sherrod, Benjamin, petitions for repeal of tax on free negroes, **6**. 982-983.
Sherrod, David, quit rents of, **22**. 254.
Sherrod, Edward, army pay, **17**. 251.

Sherrod, Jona., quit rents of, **22**. 254.
Sherrod, Jordan, army pay, **17**. 247.
Sherrod, Jos., in militia, **22**. 324.
Sherrod, Patience, **25**. 466.
Sherrod, Thos., a J. P., **18**. 82.
in assembly, **13**. 784, 786, 812, 813, 824, 913, 925, 936, 944, 953, 1000; **17**. 281, 293, 305, 350; **19**. 381, 386, 340, 489, 512, 516, 527, 613, 622, 643, 688, 714, 721, 740, 763, 773, 794, 798; **20**. 119, 121, 132, 133, 173, 229, 238, 275, 288, 314; **21**. 193, 195, 233, 294, 305, 344, 345, 356, 431.
in conv. 1788, **22**. 2, 5, 27, 28, 30, 31.
in conv. 1789, **22**. 37, 47, 48.
in Prov. Cong., **10**. 500, 507, 523, 553.
to Caswell on Franklin Co. troops, **14**. 46.
Sherrod, Wm., a J. P., **15**. 693; **23**. 994.
resigns as J. P., **21**. 204.
Sherron, John, pensioner, **22**. 85.
Sherrud, Aaron, in militia, **22**. 379.
Shervin, Thos., no indictment against, **4**. 21.
Sherward, Arthur, in militia, **22**. 309.
Sherwin, John, land grant asked, **4**. 708.
Sherwood, Benj., summoned as witness, **10**. 689.
Sherwood, David, asks for lapsed land, **2**. 356.
juror, **1**. 605.
petition for lapsed land rejected, **2**. 391.
Sherwood, James, a J. P., **9**. 293.
Sherwood, John, witness, **2**. 90.
Sherwood, Jonathan, asks for lapsed land, **2**. 355.
resists impressment, **2**. 56.
Sherwood, Jona., quit rents of, **22**. 254.
Sherwood, Jordan, army rank, **16**. 1162.
Sherwood, Thos., major, **10**. 205, 530.
Sherwood, Thos., report on militia co., **22**. 369.
Sheshions, Nich., juror, **25**. 189.
Shettleworth, Joseph, to bring suit, **10**. 433.
Shevers, Jesse, army pay, **17**. 247.
Shevers, Jonas, asks for lands claimed by Indians, **4**. 615.
Shevers, Wm., army pay, **17**. 249.
Shew, Philip, Sr., regulator, **7**. 737.
Shewbridge, Wm., land grant to, **4**. 274, 332.
road coms'r, **23**. 221.
Shewmaker, Wm., petition on separation, **22**. 705-13.
Shewman, Michaell, to be marshal, **1**. 462.
Shiagusti of Shote-Moitey, at Indian congress, **11**. 179.
Shiarer, John, land grant to, **4**. 1047.
Shield, Jno., in militia, **22**. 450.
Shields. See Sheels, Sheilds.
Shields, Benj., tory officer, **22**. 196.
Shields, John, **10**. 8.
Shields, Jno., in assem., **19**. 388.
town coms'r, **24**. 462.
Shields, Reuben, tory officer, **22**. 197.
Shields, Wm., army rank, **16**. 1152.
Shikowee Land'g, quit rents paid at, **25**. 217.
Shilling, Christopher, in militia, **22**. 393.
Shilling, value in N. C., **19**. 432.
Shiloh Church, **5**. 1179, 1180; **8**. 746.
Shilsharp, Jos., witness, **4**. 453.
Shilsharp, Mary, witness, **4**. 453.
Shine, Mr., **22**. 541.
Shine, Mr., recommended for ensign, **11**. 574, 575.
Shine, Capt., **15**. 479.
Shine (Shines), Daniel, a J. P., **3**. 244, 537; **4**. 47, 346, 953, 970.
in assembly, **3**. 635.
juror, **2**. 704; **25**. 190.
land grant to, **4**, 219, 273.
petition ment'd, **4**. 1044.
Shine, Daniel, in militia, **22**. 316.
Shine, James, a J. P., **6**. 80.
Shine, James, army pay, **17**. 246.
Caswell to on sale of army horses, **14**. 199, 201.
Shine, Jas., in militia, **22**. 315.
Shine, John, a J. P., **5**. 828.
Shine, John, a J. P., **5**. 828.
takes depositions, **8**. 200.
town trustee, **25**. 468.
Shine, John, in militia, **22**. 316, 317; date of coms'n, **22**. 317.
list of company of, **22**. 315, 316.
Shine, Thomas, captain, **10**. 457.
fired on, **10**. 835.
Shine, Thos., in militia, **22**. 315.
Shineny, Capt., makes captures, **13**. 97.
Shine's, **15**. 380.
Shing, James, recommends Read, **6**. 230.

Shingald, Wm., in militia, **22**. 310, 314.
Shingles, act to inspect, **23**. 432, 485, 639-49, 790-801; **24**. 580-6, 658-61; **25**. 313-19, 378-87.
bill for inspection of, **5**. 505, 508, 510, 512, 513, 519, 535, 537, 541, 544, 546, 549, 550, 551, 558; **6**. 1196; to continue inspection at, **6**. 844, 847, 863, 866, 879-880, 883, 884, 901-902, 905, 906, 911, 934, 936, 950-951, 954; to regulate inspection, **5**. 898, 1020, 1025, 1026, 1027, 1028, 1029, 1030, 1036, 1045, 1050, 1052, 1067, 1068, 1072, 1074, 1075, 1076, 1077, 1078, 1097.
Shingleton, Jas., juror, **25**. 189.
Shingleton, Spyers, juror, **9**. 693.
Shinn family, **8**. 747.
Shinshemastuby, signs Choctaw treaty, **18**. 802.
Ship. See Shipp.
Ship, Richard, receives pay for soldiers, **17**. 209, 228, 233, 241, 260.
Ship, Wm., fined, **20**. 191-192.
Ship, Wm., petition, **18**. 457.
Ship, Williss, land grant to, **4**. 801.
Ship building, considered, **8**. xlvii.
report on, **7**. 429.
Ship carpenter, apprentice to learn trade of, **2**. 241.
Ship owners, act to encourage, **25**. 137.
Shipboy, John, **20**. 641.
Shipe, Philip, pensioner, **22**. 84.
Shipey, John, petitions on land grants, **9**. 1260-1263; **11**. 250-253.
Shiphard. See Shepherd.
Shiphard, John, regulator, **7**. 736.
Shipley, Eli, petition on separation, **22**. 705-13.
Shipley, Richard, petition on separation, **22**. 705-12.
Shipley, Thomas, petition on separation, **22**. 705-13.
Shipman, Asa, army rank, **16**. 1160.
Shipman, Daniel, land grant to, **4**. 853.
Shipman, Daniel, petitions for McDugal, **9**. 683-685.
road coms'r, **25**. 463.
Shipman, Daniel, Jr., petitions for McDugal, **9**. 683-685.
Shipman, Jacob, army rank, **16**. 1160.
Shipman, James, captain, **10**. 626, facing 680.
pensioner, **22**. 86.
Shipman, Toney, army rank, **16**. 1160.
Shipp. See Ship.
Shipp, Thos., pensioner, **22**. 84.
Shippe, John, captured by privateer, **22**. 262.
Shippen, Mrs., **14**. 567.
Shippen, Dr., **14**. 50.
arrested, **14**. 567.
Shippensburg, **5**. 430.
Shippey, John, petitions on land grants, **9**. 1260-1262; **11**. 250-253.
Shipping, abstract of ment'd, **5**. 331.
account of, **5**. 314.
amount of, **5**. xliii.
duty on considered, **6**. 1090, 1154*a*.
no ports for heavy, **2**. xii.
report on, **6**. 968-969.
suffers in N. C., **2**. 761-762.
Shippny, Nicholas, petition against marriage act, **9**. 623-625.
Ships, bill for duty on, **5**. 267, 268, 272, 273, 274, 279, 288, 290, 294, 296, 297, 300, 309; for duty on tonnage, **5**. 673, 678, 680, 681, 682, 687, 716-717, 726, 727, 728, 730-731, 735; **7**. 599, 604, 607, 633, 636, 641, 646, 652, 903, 906, 907, 950, 953, 958, 959, 963.
Eng. acts on in force in N. C., **23**. 320, 324, 325, 326.
entries of to be made, **2**. 498.
seized and delayed by governor, **4**. 1110.
Spanish reports on wreck, **4**. 1300-1311.
to be registered for colonial trade, **1**. 503-504.
Shirley, Mr., prisoner, **16**. 546.
Shirley, Governor General, **4**. 820; **5**. xxviii, 393, 411, 428, 561, 568, 576, 578, 584; **6**. 282, 286.
abandons compaign, **5**. 444.
advances money for N. C. troops, **6**. 449, 472, 476.
commands troops, **5**. 412.
Dinwiddie to on conduct of Dunbar, **5**. 429-431.
letter to ment'd, **5**. 434.
made commander in chief, **5**. 420.
Six Nations with, **5**. 434.
succeeds Washington, **5**. xvii.
to attack Niagara, **5**. 400.
to raise troops for French war, **5**. 144*d*-144*e*, 144*f*.
to succeed Braddock, **5**. 560.
witness at Oswego, **5**. 447.
Shirley, Wm., testimony taken before, **6**. 239-240.

Shirley Hundred, Va., **14**. 487.
Shirloe, Danl., rights proved, **4**. 598.
Shirly, John, land grant to, **4**. 277.
Shirmentine, Hezekiah, in army, **13**. 506.
Shirrel. See Sherrell.
Shirrel (Shirrell), Abington (Abenton), land grant to, **4**. 959, 1033.
Shirrel, Wm., land grant to, **4**. 946, 959.
Shirrell, Wm., land grant asked, **4**. 1033; grant to, **4**. 961.
Shirrif, Mr., to attend Board of Trade meeting, **2**. 194.
Shirril, Wm., land grant to, **4**. 1239.
Shittlethorp, Jos., juror, **25**. 188.
Shivers, Jas., army rank, **16**. 1161.
Shivers, Jese, army rank, **16**. 1161.
Shives, Jacob, land grant to, **4**. 50, 329.
Shoar, Reuben, petition on C. H., **9**. 806-807.
Shober, Gottlieb, petition on paper factory, **21**. 851-582, 588.
resolution to advance money to, **21**. 214.
Shober, Rev. Gottlieb, death and sketch of life, **8**. 792, 793.
delegate to Episcopal convention, **8**. 791.
on com. to make fraternal union with Episcopal Church, **8**. 790.
organizes congregations, **8**. 777.
pastorates of, **8**. 776.
secretary of N. C. Synod and ordained, **8**. 776.
to Lutheran Church of Salisbury on and action on same, **8**. 783-785.
work in N. C., **8**. 777, 778, 781, 782.
Shocco, **14**. 335; **15**. 649.
Shockley, Isaac, army rank, **16**. 1156.
Shockley, Jno., land grant to, **19**. 573.
Shockoe Creek, **24**. 294.
Shod, Maj., **20**. 680.
Shoeley, John, act for land to, **24**. 629-30.
Shoemaker, Mr., **11**. 815.
Shoemaker, Conrad, regulator, **7**. 737.
Shoemaker, Randall, army pay, **17**. 249.
army rank, **16**. 1164.
pensioner, **22**. 84.
Shoemakers, ducked, tarred and feathered, **11**. 835-836.
in office, **1**. 687.
Shoementon, Hezk., army rank, **16**. 1154.
Shoes, bought for public, **10**. 821.
factory at Hillsboro, **14**. 435, 443, 444, 448; report on, **19**. 620-621; to be established in Salisbury, **14**. 444, 451.
made in Albemarle section, **13**. iv.
price, **13**. 63.
Shoghin, Neil, in militia, **22**. 285.
Sholders, James, army pay, **17**. 250.
Sholt, Lewis, army pay, **17**. 249.
Shomaker, Josiah, receives clothing, **16**. 619.
Shooks, Andrew, pensioner, **22**. 85.
Shooks, Jacob, pensioner, **22**. 85.
Shoot, Daniel O., land grant to, **4**. 1250.
Shore, Wm., in militia, **22**. 421.
Shoreham, ship, ment'd, **1**. 518, 519.
Shores, David, army rank, **15**. 729; **16**. 1156.
Shores, Wm., attached for contempt, **10**. 4, 7.
Short, Capt., vessel of captured, **13**. 97.
Short, Abraham, army pay, **17**. 249.
Short, Chas., army rank, **16**. 1161.
Short, Daniel, land grant to, **4**. 961.
Short, Daniel, regulator, **7**. 809.
Short, David, army pay, **17**. 249.
Short, Hardy, army rank, **16**. 1160.
in Davidson's co., **14**. 294.
Short, Henry, army rank, **16**. 1160.
in Davidson's co., **14**. 294.
Short, Henry, land grant to, **4**. 277.
Short, Isham, army pay, **17**. 249.
Short, Jacob, petition on C. H., **9**. 806-808.
Short, James, allowance to, **10**. 998.
Short, James, regulator, **7**. 808.
Short, Jno., in militia, **22**. 273.
Short, Jno., in militia, **22**. 309.
Short, Moses, petition on C. H., **9**. 806-807.
Short, Samuel, petition on C. H., **9**. 806-807.
Short, Wm., a J. P., **4**. 46, 966.
Short, Wm., army pay, **17**. 249.
Short, Wm., in militia, **22**. 273.
Short, Wm., in militia, **22**. 309.
Short, Wm., in militia, **22**. 313.
Short, Wm., juror, **4**. 524.
Short, Wm., land grant to, **4**. 348.
Short, Wm., quit rents of, **22**. 243.
Short, Wm., recommended for promotion, **22**. 273.
Short, Wm., regulator, **7**. 809.
Short, Wm., to be made major, **5**. 163.
Short, Wm., town coms'r and treasurer, **25**. 241.

Short, Wm., vestryman, **23**. 499.
Short weights, penalty, **24**. 281.
Shorter, Wm., juror, **4**. 523.
land grant to, **4**. 348.
Shote, Emanuel, Watauga to be annexed, **10**. 708-711.
Shote-Moiety, **11**. 179.
Shoulder, Wm., army rank, **16**. 1161.
Shoulders, Wm., army pay, **17**. 251.
army rank, **16**. 1166.
Showers, Jno., in militia, **22**. 284.
Shows, not to be held in C. H., in Wilmington, **25**. 244.
Shreenes, William, tried for theft and whipped, **1**. 401.
Shreive, Robert, wounded by Indians, **2**. 200.
Shrewsbury, Duke of, on pirates, **1**. 515.
Shrewsbury, Stephen, prisoner, **17**. 1046.
Shrewsbury, **6**. 977.
Shrewsbury, Eng.(?), **10**. 754.
Shrewsbury, N. J., **10**. 902.
Shrieve, Col., pres. of court martial, **12**. 469, 472, 473.
Shrimpton, Samuel, debts to, **1**. 447.
gives power of attorney, **1**. 415.
Shrine, Jonathan, witness, **3**. 400.
Shrode, Adam, army rank, **16**. 1164.
Shrum family, **8**. 754.
Shubalton, Joel, army pay, **17**. 248.
Shubrick, Capt., tries to exchange Gov. Burke, **16**. 238-239.
Shubridge, ——, a J. P., **4**. 46.
Shubridge, Wm., juror, **25**. 190.
Shuewolf, Chas., in militia, **22**. 315.
Shuffield, Abner, army pay, **17**. 250.
Shufford, Edward, a J. P., **6**. 340.
Shuford, John, Jr., takes oath, **22**. 503.
Shuford, John, Sr., takes oath, **22**. 503.
Shuford, John J., **8**. 752.
Shuford, Martin, Jr., takes oath, **22**. 503.
Shuford family, **8**. 756, 757.
pioneers, **8**. 753.
Shuler family, **8**. 742.
Shultz, Christian, petition on catching fish, **9**. 87-88.
Shultz, Lewis, army rank, **16**. 1160.
Shumack, rendezvous at, **16**. 697, 698.
Shuman, Christian, **8**. 749.
Shuman, John, **8**. 749.
Shuner (Skinner?), Richard, takes up lands, **2**. 307.
Shupping, Nicholas, **8**. 749.
Shuppings family, **8**. 744.
Shurer, Fredk., army rank, **16**. 1166.
Shurley, Thos., army rank, **16**. 1161.
Shute, Mr., **13**. 282.
Shute, Gov., complaints against, **3**. 478.
Shute, Lieut., court martialed, **12**. 488.
Shute (Shutt), Giles, a J. P., **2**. 570, 638.
coms'r on public accounts, **25**. 165.
Shute, Jese, army rank, **16**. 1160.
Shute, Jesse, in army, **13**. 519.
Shute, Jesse, in army, **13**. 528.
Shute, Philip, land grant to, **4**. 853, 961.
Shute, Thos., army rank, **16**. 1159.
on clothes for 10th regt., **11**. 670-671.
Shute, Wm., army pay, **17**. 247.
army rank, **16**. 1159.
Shutes, Sam'l, school trustee, **24**. 691.
Shute's Folly, **15**. 28, 40.
Shutes land, **4**. 71.
Shy, Jesse, army pay, **17**. 246.
Siberia, compared with N. C., **2**. 186.
Sibley, Dr., **21**. 435, 436.
Sibley, John, resolution in favor of, **21**. 868, 1058.
Sibley and Howard, printers, **21**. 223, 349, 354, 425, 435, 591, 726, 773, 927; **22**. 45.
Siborn, Wm., army rank, **16**. 1153.
Sickness, **8**. 253.
in S. C., **3**. 393.
noted, **3**. 433.
Sicks, John, in militia, **17**. 1054.
Sidann, Samuel, Jr., on Cherokee bound. survey, **7**. 995.
Sidden, Wm., regulator, **8**. 79.
Siddle, Jesse, army pay, **17**. 251.
army rank, **16**. 1163.
Sides, Adam, in militia, **22**. 281.
Sides, Hendry, in militia, **22**. 281.
Sides, Peter, signs Tryon Asso., **10**. 162.
Sidewell, John, regulator, **7**. 734.
Sidney, Lord, **20**. 662.
Sidney, Algernon, **11**. 323.
Sidney, Sir Philip, Arcadia ment'd, **7**. 285.
Siebert, Frederick, **8**. 749.
Sigemore, Samuel, land lapses, **2**. 486.
Sigley, Wm., clears lots, **23**. 75.
Sigley, Wm., juror, **25**. 189.
Sigman, Capt., **22**. 158.
Sigman, Bolser, ensign, **10**. 320.
Sigman, John, ensign, **10**. 320.
Sigman, John, lieut., **10**. 320.
Sigmon, Geo., pensioner, **22**. 85.

Signories, counties divided into, **1.** 188; **25.** 123, 125.
Sijha Island, Scotland, 9. 251.
Sike, Christian, regulator, **7.** 737.
Sikes, Abel, in militia, **22.** 496.
Sikes, Benj., in militia, **22.** 496.
Sikes, Dempsey, army pay, **17.** 249.
Sikes, Jacob, petition, **19.** 423, 477, 485, 752, 755, 827.
Sikes, James, army pay, **17.** 249.
Sikes, James, arrested for counterfeiting, **10.** 689.
Sikes, James, in assembly, **16.** 2; **17.** 878, 879, 947, 953, 963; **19.** 391, 393.
Sikes, John, discharged, **20.** 9.
Sikes, John, Sr., land grant to, **4.** 632.
Sikes, Joseph, a J. P., **6.** 335.
boundary coms'r, **23.** 658.
vestryman, **23.** 499.
Sikes, Joshua, land grant to, **4.** 590.
Sikes, Sam'l, in militia, **22.** 347.
Sikes, Solomon, felon, **8.** 142; **22.** 854.
Sikes, Wm., breaks jail, **5.** 977.
Sikes, Will'm, in militia, **17.** 1060.
Sikes, Wm., saddler, **15.** 620.
Silas, Thos., army rank, **16.** 1165.
Silbey, Samll., juror, **4.** 520.
Silby, Buroage, recommended for colonel, **15.** 22.
Silenus, name for Dobbs, **6.** 737.
Siler, Henry, Watauga to be annexed, **10.** 708-11.
Silesias, 16. 923.
Sileson, Capt., court martialed, **12.** 523.
Silk, 3. 338.
circular on culture of, **8.** 38.
cultivation of, **5.** xli; discussed, **8.** 66.
encouragement for manufacture of, **5.** 273.
French imported to cultivate, **5.** 332; to give instruction in growing of, **5.** 686, 714-715.
growth of considered, **5.** 573-574.
mulberry trees raised for, **5.** 855.
raised by Gov. Johnston, **4.** 267; in N. C., **4.** 919.
raising of, **22.** 287; to be encouraged, **5.** 293-294.
report on, **4.** 6, 16.
Tryon on culture of and answer, **8.** 87-88, 92, 114.
Silk grass, found in N. C., **1.** 5.
Sill, ——, in militia, **22.** 387.
Sill, Major, field officer, **12.** 497, 502, 515, 539.
on guard, **12.** 531.
Sill, Oswell, in militia, **22.** 275.
Sill, Thos., army rank, **16.** 1154.
Sillar, Angus, petitions for McDugal, **9.** 683-684.
Sillar, Angus, Jr., petitions for McDugal, **9.** 683-684.
Sillar, Archibald, petitions for McDugal, **9.** 683-685.
Sillard, Thos., army rank, **16.** 1159.
Sillards, Thomas, in army, **15.** 732.
Sillaven, Wm., pensioner, **22.** 86.
Silliman, G. Silleck, 9. 1231.
Silliman, John, army pay, **17.** 249.
Sillivant, Darby, juror, **25.** 187.
Sillman, ——, 13. 27.
Sills, Andrew, army pay, **17.** 248.
Sills, Eleaner, land grant to, **4.** 221.
Silney, John, juror, **4.** 516.
Silvedoor, ——, favors colonies, **22.** 182.
Silver, Geo., pensioner, **22.** 87.
Silver, Henry, law suit, **1.** 482.
Silver, 2. 588, 589.
act on coins current in S. C., **25.** 142; to fix standard coin, **18.** 713-714, 716, 719, 746.
demanded for rents, **2.** v; **4.** 94, 135; for lands, **3.** 608, 619.
granted to Heath, **1.** 6; to proprietors, **1.** 22, 103.
in colony, **3.** 622.
mines found by Michel, **1.** 968.
miners for arrive in London, **1.** 973-974; search for mines, **1.** 958-9, 960-5.
mint established, **18.** 764-767, 769.
one-fifth reserved to King, **1.** 7.
reserved, **1.** 15.
scarce, **3.** 185.
sent to Ireland, **5.** iv.
value in paper, **3.** 146.
Silver and gold coins, act on value, **24.** 485-8.
Silver Bluff, S. C. (or Ga.?), 14. 335.
fort captured, **15.** 481.
Silver buckles, 2. 474.
Silver Creek, 9. 414, 527; **10.** 252; **11.** facing 80; **16.** 696, 698; **22.** 878; **24.** 845.
Silver Creek Camp, 22. 470.
Silver cup, stolen by Teach, **2.** 343.
Silver plate, 1. 972.
Silver shirt buttons, 2. 716.
Silver shoe buckles, stolen, **4.** 891.

Silverthan, Robt., army rank, **16**. 1165.
Silverthorn, Robert, pensioner, **22**. 86.
Silvester, Luke, army rank, **16**. 1159.
Silvester, Nathl., army rank, **16**. 1166.
Silvester, Nathl., army rank, **16**. 1166.
Silvester, Rich., juror, **25**. 190.
Silvester, Richard, land grant to, **4**. 638, 643.
Silvester, Richard, shallop impressed, **1**. 866.
Silvester, Richard Wm., a J. P., **3**. 537.
Silvester, Wm., land grant to, **4**. 643.
Silvester's Landing, inspection at, **25**. 379.
Silvey, Edwd., in militia, **22**. 166.
Sim, Wm., in militia, **22**. 398.
Simcock, Mr., claims, **5**. 557.
Simcock, John, claims com. meets at house of and allowance to, **22**. 863, 866.
Simcoe (Simco), Col., goes to N. Y., **15**. 537.
in council of war to, **17**. 993.
in Va. campaign, **17**. 983.
movements, **17**. 985, 987.
sent to Va., **15**. 308.
Simes. See Simms, Sims.
Simes, Lt. Col., commands marksmen, **12**. 530.
Simes, James, land grant to, **4**. 216.
Simes's Military Guide, **10**. 756.
Simickson, Thos., in N. J. assem., **16**. 843.
Simington, Robert, a J. P., **6**. 799.
legislative fight over, **5**. 49, 69.
Simkin, John, payment to, **22**. 442.
Simkins, Jno., army rank, **16**. 1166.
Simmon, Mr., **22**. 812.
Simmon, Reuben, petition on separation, **22**. 705-8.
Simmond, John, in militia, **22**. 161.
Simmond, John, petition on C. H., **9**. 806-807.
Simmonds. See Simmons, Symonds.
Simmonds, Henry, **22**. 299.
Simmonds, Henry, in militia, **22**. 306.
Simmonds, Henry, petitions on roads and ferries, **5**. 164-166.
Simmonds, Jacob, land grant to, **4**. 273.
Simmonds, John, land grant to, **4**. 273.
Simmonds, Peter, in militia, **22**. 306.
Simmonds, Will, in militia, **22**. 306.
Simmonds, Wm., petitions on roads and ferries, **5**. 164-166.
Simmons. See Semons, Semmons.
Simmons, Mr., in assembly, **19**. 652.
Simmons, Col., offers to make settlement, **4**. 695.
Simmons, Col., relief for needed, **17**. 272.
Simmons, Lt., killed, **15**. 638.
Simmons, Lt., wounded, **15**. 638.
Simmons, Alexander, army pay, **17**. 25.
Simmons, Anty., army rank, **16**. 1157.
Simmons, Areal, major of militia, **14**. 333.
Simmons, Asa, in militia, **22**. 334.
Simmons (Simmon, Simmonds), Asael, commissary and paymaster, **10**. 936.
in militia, **9**. 58; **22**. 390.
major, **10**. 530.
school trustee, **25**. 18.
sheriff, **21**. 1072.
Simmons, Benj., army pay, **17**. 247.
army rank, **16**. 1155.
Simmons, Benj., army rank, **16**. 1158.
Simmons, Ben., in army, **13**. 520.
Simmons, Benj., in militia, **22**. 365.
Simmons, Benj., in militia, **22**. 376.
Simmons, Caleb, in militia, **9**. 59.
Simmons, Caleb, in militia, **22**. 391.
Simmons, Daniel, land grant to, **4**. 803.
resurvey to, **6**. 1071-1072.
Simmons, Ed., in militia, **22**. 341.
Simmons, Edom, in militia, **22**. 391.
to lay out road, **25**. 474.
Simmons, Edward, land grant to, **4**. 66.
Simmons, Emanuel, a J. P., **23**. 993.
coms'r on canal, **23**. 914; on co. and building, **24**. 226.
land patent corrected, **6**. 1018.
Simmons, F. M., U. S. Senator, **26**. iv, 1248.
Simmons, Felix, army pay, **17**. 246.
Simmons, George, army pay, **17**. 246.
Simmons, Gideon, army rank, **16**. 1159.
in army, **13**. 509.
Simmons, Henry, a J. P., **4**. 1041, 1243.
Simmons, Henry, in militia, **22**. 280.
Simmons, Henry, in militia, **22**. 341.
Simmons, Henry, land grants to, **4**. 58.
rights proved, **4**. 598.
road coms'r, **23**. 221.
Simmons (Simons), Hillery, canal coms'r, **24**. 871.
coroner, **9**. 298.
surety, **9**. 1062.
Simmons, Isaac, in militia, **22**. 315.

army rank, **15**. 718; **16**. 1155.
Simmons, Isles (Isler), army pay, **17**. 246.
memorial, **17**. 319, 322; **19**. 406, 437, 733; **20**. 36.
receives pay for soldiers, **17**. 195, 201, 202, 219, 220, 223, 224, 227, 232, 240, 245, 249, 254, 259, 263.
Simmons, Jacob, in militia, **22**. 280.
Simmons, Jas., army rank, **16**. 1153.
Simmons, Jas., army rank, **16**. 1160.
Simmons, James, in army, **13**. 527.
Simmons, James, receives pay for soldiers, **17**. 189.
Simmons, James M., clerk Ga. Asso., **22**. 1006.
Simmons, Jereh., army rank, **16**. 1165.
pensioner, **22**. 84.
Simmons, Jere., land grant to, **4**. 330.
Simmons, John, a J. P., **4**. 346.
Simmons, John, army pay, **17**. 247.
Simmons, John, army pay, **17**. 248.
Simmons, John, army rank, **16**. 1159.
Simmons, Jno., army rank, **16**. 1162.
Simmons, Jno., army rank, **16**. 1163.
Simmons, John, army rank, **16**. 1165.
Simmons, John, exempted, **9**. 461.
Simmons, John, exempted from taxes, **13**. 804, 805.
Simmons, John, imported, **1**. 494.
Simmons, John, in militia, **9**. 58.
Simmons, Jno., in militia, **22**. 280.
Simmons, Jno., in militia, **22**. 334.
Simmons, Jno., in militia, **22**. 365.
Simmons, Jno., in militia, **22**. 376.
Simmons, John, in militia, **22**. 379.
Simmons, John, land grant to, **4**. 274, 1250; **6**. 1018.
Simmons, John, loyalist, **10**. 600.
Simmons, John, on patrol, **10**. 25.
Simmons, John, owes state, **21**. 1072.
Simmons, John, pensioner, **22**. 85.
Simmons, John, petition, **21**. 213, 217, 586, 588, 737, 741, 835, 883, 885, 1007.
Simmons, John, regulator, **8**. 80.
Simmons, John, resigns as J. P., **21**. 779, 887.
Simmons, Lemuel, in militia, **22**. 415.
Simmons, Lewis, petitions for extension of power of J. P.'s, **7**. 874-875.
Simmons, Malachi, army rank, **16**. 1153.
Simmons, Martin, army pay, **17**. 250.
Simmons, Maurice, claims considered, **17**. 370.
furnishes clothing to officers, **16**. 138-9.
report on account of, **19**. 618, 632, 635, 652.
wants pay for supplies to troops, **17**. 466-467, 500.
Simmons, Molborn, in militia, **22**. 343.
Simmons, Nicholas, law suit, **1**. 482.
Simmons, Peter, army pay, **17**. 248.
army rank, **16**. 1159.
Simmons, Philip, army rank, **16**. 1166.
Simmons, Richard, **22**. 134, 135.
Simmons, Robert, vestryman, **25**. 210.
Simmons, Samson, in militia, **22**. 391.
Simmons, Samuel, army pay, **17**. 251.
army rank, **16**. 1159.
in assembly, **4**. 1181.
Simmons, Samuel, in militia, **22**. 391.
Simmons, Sam., quit rents of, **22**. 247.
Simmons, Sander (Sanders), army rank, **16**. 1165.
pensioner, **22**. 84.
Simmons, Thos., **24**. 458.
Simmons, Thomas, in militia, **9**. 58.
Simmons, Thos., in militia, **22**. 315.
Simmons, Thos., in militia, **22**. 391.
Simmons, Thomas, on patrol, **10**. 25.
Simmons, Thomas, voter, **15**. 237.
Simmons, W., at council of officers, **15**. 27-29.
Simmons, Wm., in militia, **22**. 161.
Simmons, Wm., in militia, **22**. 378.
Simmons, Willis, army pay, **17**. 246.
army rank, **16**. 1163.
Simmons's riflemen, **19**. 969, 990.
Simms. See Simes, Sims.
Simms, Mr., **5**. 1214.
Simms, Capt., in militia, **22**. 313, 314.
Simms, Lt. Col., to parade, **22**. 518.
Simms, Adam, signs Tryon Asso., **10**. 162-163.
Simms, Benj., captain, **5**. 162.
Simms, Benj., report on militia co., **22**. 378-9, 380.
Simms, Charles, on court martial, **11**. 752.
Simms, Drury, army pay, **17**. 248.
Simms, Henry, land grant to, **4**. 1255.
Simms, Isem, land grant to, **4**. 764.
Simms, James, arrests deserters, **14**. 183.
threatened, **14**. 176.
Simms, James, land grant to, **4**. 1242.
Simms (Symms), Robert, a J. P., **23**. 993.
army pay, **17**. 247.
judgment against suspended, **19**. 782.

petition, **20**. 38, 58, 96; considered, **17**. 329.
resolve in favor of, **19**. 444, 446.
Simms's Military Guide, copies of to officers, **10**. 881.
Simon (Simons), Peter, captain, **10**. 517, 520.
Simonds. See Symonds.
Simonds, Jno., in militia, **22**. 356.
Simons, Mr., **14**. 616.
Simons, Col., at council of war, **14**. 805-806.
Simons, Benj., a J. P., **4**. 813.
in assembly, **4**. 826, 827.
Simons, Bullock, land grant to, **4**. 619, 707.
Simons, Caleb, a J. P., **23**. 993.
Simons, Daniel, land grant to, **4**. 970.
Simons, Daniel, petitions for lands, **4**. 954-956.
Simons, Felix, in army, **13**. 513.
Simons (Symons?), Francis, imported, **1**. 394.
Simons, Henry, land grant asked, **4**. 707.
rights proved, **4**. 705.
Simons, Isaac, resurvey to, **4**. 852.
Simons, Jacob, petitions on county bounds, **9**. 633-5.
Simons, James, in army, **13**. 517.
Simons, James, land grant to, **4**. 589.
Simons, John, a J. P., **23**. 993.
Simons, Jno., army rank, **16**. 1159.
Simons, Jno., juror, **25**. 190.
land grant to, **4**. 641.
petitions for lands, **4**. 954-956.
rights proved, **4**. 640.
Simons, Joseph, petitions for Windsor as C. H., **9**. 804-806.
Simons, Joshua, army pay, **17**. 248.
Simons, Lewis, deserter, **11**. 823.
Simons, Nicholas, witness, **1**. 434.
Simons, Peter, petitions on roads and ferries, **5**. 164-166.
Simons, Robert, petition of considered, **17**. 322.
Simons, Sam., juror, **15**. 188.
Simons, Virgill, imported, **1**. 415.
Simons, Wm., in militia, **17**. 1059.
Simons's Creek Bridge, inspection at, **24**. 581; **25**. 313, 379.
Simons's Landing (John), tobacco inspection at, **23**. 641, 792.
Simonton, ——, dropped as J. P., **6**. 1077.
Simonton, Robert, claim, **9**. 488; allowed, **10**. 413, 414, 527, 528, 536; **22**. 878.
Simonton, Robt., in militia, **22**. 311.
Simpkins, Joseph, army pay, **17**. 251.
Simpkins, Jos., army rank, **16**. 1161.
Simpkins, Josh., army rank, **16**. 1166.
Simpson. See Simson.
Simpson, ——, **16**. 1000.
Simpson, ——, letter of ment'd, **14**. iv, 820.
Simpson, ——, will rent, **2**. 388.
Simpson, Mr., **15**. 252, 296.
Simpson, Mr., clerk of council and S. C. line, **6**. 783, 785.
Simpson, Mr., tory, **22**. 538.
Simpson, Capt., on defense of Charleston, **15**. 39-40.
Simpson, Alex., fights duel, **7**. 5, 9-10, 39-40, 94, 147, 159, 197, 290.
Simpson, Andw., army rank, **15**. 732; **16**. 1157.
Simpson, Arch., surrenders charter of Campbelton, **9**. 270-271.
Simpson, Archibald, to sell salt, **10**. 704.
Simpson, Benj., army rank, **16**. 1157.
Simpson, Benj., juror, **4**. 517.
Simpson, Benj., quit rents of, **22**. 257.
Simpson, Charles, petition, **20**. 561-562, 585; **21**. 123, 173.
Simpson, Corn., in militia, **22**. 264.
Simpson, Cornel, in militia, **22**. 267.
Simpson, Dorothy, petition for widow's dower, **1**. 585.
Simpson, Dred, army pay, **17**. 249.
Simpson, Ed., in militia, **22**. 263.
Simpson, Ed., in militia, **22**. 266.
Simpson, Ed., in militia, **22**. 280.
Simpson, Edward, supplies from, **22**. 277, 278.
Simpson, Fred'k, restored as J. P., **19**. 687-8.
Simpson, Ichabod, deposition on case of the John and Elizabeth, **9**. 322, 353-354.
on S. C. of Pitt, **9**. 1095, 1100.
Simpson, Isaac, army pay, **17**. 249.
Simpson, Jacob, army pay, **17**. 249.
Simpson, James, affidavit, **5**. 825.
Simpson, James, debts due by, **8**. 278-9; as sheriff, **9**. 574.
Simpson, James, petition, **21**. 60.
Simpson, James, surveyor, **17**. 459.
Simpson, Jane, memorial, **20**. 521, 534, 578; **21**. 60(?), 83, 149-50, 158, 298, 299, 362-3, 395, 436, 646, 704.
Simpson, John, assaulted, **2**. 544-545.

juror, **2**. 262.
Simpson, Jno., in militia, **22**. 264.
Simpson, Jno., in militia, **22**. 338.
Simpson, Jno., in militia, **22**. 387.
Simpson, Jno., in militia, **22**. 415.
Simpson, Jno., juror, **25**. 190.
grant to, **4**. 628, 684, 710, 853, 1045, 1240.
land grant asked, **4**. 707.
rights proved, **4**. 709, 1239.
Simpson, John, **18**. 685.
a J. P., **6**. 340, 343; **23**. 994; dropped, **9**. 1229.
account of capture and loss of vessel of at Vera Cruz, **9**. 319-322, 353-354.
army rank, **16**. 1152.
at council meeting, **14**. 273-4, 286-8, 317-23, 332-3.
at S. C. meeting, **9**. 1080, 1081.
boundary coms'r, **23**. 629.
capture of vessel ment'd, **9**. 360.
case of vessel of not settled, **9**. 1159.
certificate to, **19**. 166.
chm. com. of state, **12**. 865, 868.
chm. S. C. of Pitt, **9**. 1126, 1154, 1171, 1240, 1266, 1281; **10**. 14, 61, 64, 87, 100, 122, 255, 261, 295, 296, 321, 347, 423, 451, 494.
claims allowed, **9**. 224; **22**. 839.
colonel, **9**. 298; **10**. 206, 532.
coms'r of co., **23**. 531; on road, **23**. 221; on school, **24**. 867.
complains of confiscation of vessel in Mexico, **9**. 171, 174, 179, 180, 182.
Coor to on public affairs, **10**. 825-6.
fit for Cont. Cong., **10**. xxxv.
holds court in Kinston, **15**. 717.
in assembly, **6**. 359, 362, 366, 396, 427, 454, 456, 470, 486, 488, 514, 663, 1099, 1148, 1153, 1156, 1164, 1165, 1225, 1228, 1266, 1272, 1273, 1275, 1281; **7**. 53, 54, 80, 342, 343, 353, 567, 586, 592, 596, 632, 647, 662, 953, 964; **8**. 101, 110, 132, 146, 303; **9**. 396, 398, 417, 420, 422, 424, 448, 449, 492, 498, 499, 530, 539, 540, 588, 723, 729, 734, 735, 770, 783, 837, 843, 848, 855, 874, 883, 888, 898, 902, 907, 917, 918, 930, 951, 1189; **12**. 816, 822, 823, 869, 879; **13**. 636; **16**. 2, 29, 49, 127, 130, 153, 156, 165, 167; **17**. 638, 670, 700, 705; **18**. 2, 3, 24, 59, 61, 134, 135, 154, 161, 171; **19**. 79, 378, 396.
in council of state, **12**. 784, 786, 790, 841, 842, 851, 869; **22**. 910, 935, 938, 939, 943, 944, 947, 949, 951, 953, 954, 955, 956, 957, 958, 959, 962, 964, 965, 966, 967.
in Prov. Cong., **9**. xxxi, 1030, 1042, 1049, 1154, 1179, 1180, 1181; **10**. 121, 122, 166, 167, 172, 295, 501, 523, 555.
indemnified by Prov. Council, **10**. 354.
inspects powder, **10**. 462.
judge of military court, **11**. 357.
juror, **8**. 529.
land grant to, **4**. 851, 853.
master and crew of vessel misrepresent treatment, **9**. 350.
nom. as brig. gen., **13**. 754, 755, 807, 808; for C. of S., **12**. 562, 667-668, 670; **13**. 737, 738, 788, 789; **19**. 466, 809.
on claims com., **22**. 836, 840.
on com. of assem., **6**. 493, 1092, 1153; **7**. 553, 570, 571, 897, 936; **8**. 90, 110, 111, 118; **9**. 381, 450, 451, 711, 739, 1197; **12**. 766, 768, 772, 773, 777, 821, 824, 826, 828, 834, 835; **16**. 116; **18**. 8, 15, 52, 237, 286, 287.
on com. Prov. Cong., **10**. 551, 564, 566.
on council of safety, **10**. 581, 916, 684.
on difficulty of collecting taxes in Pitt Co., **7**. 943, 953.
on Newbern dist. S. com., **10**. 414, 415, 417, 459, 462.
on Prov. Coun., **10**. 350, 414.
on S. C. of Pitt, **9**. 1075, 1088, 1095, 1100.
ordered to march militia against regulators, **8**. 702-703.
patroler, **10**. 63.
payments to for public, **10**. 645.
petition, **17**. 389; **18**. 33, 49-50, 55, 264, 268, 278-279, 287; **19**. 141, 142, 145, 146, 147, 172, 174, 178, 203, 207, 215, 253, 254, 255, 256, 257, 259, 260-261, 263, 269, 286, 288, 290, 297, 300, 333, 339, 348, 355, 501, 503, 570; **20**. 195, 199, 222-223, 226, 377, 414; for Tryon, **16**. 580.
presides at court, **15**. 683.
recommends McCartney, **9**. 61-62; sheriff, **22**. 393.
register, **9**. 298.
reports on march of regulators on

Newbern, **8**. 262.
reports to on money disbursements, **22**. 447-8.
suit against suspended, **18**. 472, 473, 475.
surety, **9**. 592-593.
to —— on public affairs, **10**. 788.
to Caswell on Ascue and Falconer, **13**. 287-288; on mustering of militia, **11**. 535; on Pitt militia, **11**. 556.
to Cogdell on intended negro insurrection, **10**. 94-95.
to Coor on public and private affairs, **10**. 833-4.
to Nash on Pitt Co. troops, **15**. 19.
to Tryon on Pitt troops in regulation war, **15**. 761.
Tryon to on calling out troops for defense of Legislature, **8**. 681, 682, 684, 689; on Pitt militia, **8**. 689; on regulators, and answer, **22**. 408-9, 410.
warrant to, **8**. 706.
Simpson, John, ensign, **10**. 320.
Simpson, John, nom. for clerk, **18**. 6, 231.
Simpson, John, trustee Liberty Hall, **24**. 30.
Simpson, John, voter, **15**. 237.
Simpson, John H., owes State, **21**. 1067.
Simpson, Jonathan, army pay, **17**. 249.
Simpson, Jos., army rank, **16**. 1156.
Simpson, Josh., in militia, **22**. 264.
Simpson, Josh., in militia, **22**. 267.
Simpson, Moses, army rank, **16**. 1160.
Simpson, Richd., army rank, **16**. 1165.
Simpson, Richard, will of, **24**. 297.
Simpson, Robt., in militia, **22**. 338.
Simpson, Robt., in militia, **22**. 341.
Simpson, Robert, land grant to, **4**. 52.
Simpson, Rossilar, petition on use of Carteret militia, **15**. 146-147.
Simpson, Rossiter, land patent, **6**. 77.
Simpson, Samuel, army rank, **13**. 508; **16**. 1154.
in assem., **21**. 818, 820, 872, 874, 927, 930, 937, 941, 946, 965, 970, 974, 980, 982, 985, 987, 1003, 1004, 1012, 1013, 1015, 1021, 1031, 1050.
in conv. 1789, **22**. 38, 47, 48.
tax coms'r, **25**. 52.
Simpson, Sam'l, in militia, **22**. 338.
Simpson, Sarah, punished for fornication, **2**. 478-479.
Simpson, Smith, army pay, **17**. 251.
Simpson, Smith, army rank, **16**. 1155.
Simpson, Thos., a J. P., **23**. 995.
Simpson, Thos., Watauga to be annexed, **10**. 708-711.
Simpson, Walter, in militia, **22**. 384.
Simpson, Wm., **21**. 640; **25**. 46, 47.
Simpson, Wm., army rank, **16**. 1165.
Simpson, Wm., exempted, **4**. 391.
Simpson, Wm., exempted, **4**. 771.
Simpson, Wm., in militia, **22**. 333.
Simpson, Wm., in militia, **22**. 351.
Simpson, Wm., juror, **25**. 187.
Simpson, Wm., pardoned, **19**. 246, 247.
Simpson, Wm., petition on location of C. H., **13**. 352-354.
Simpson, Wm., quit rents of, **22**. 250.
Simpson, Wm., quit rents of, **22**. 250.
Simpson, Wm., widow's dower laid off, **1**. 585.
Simpson, Wm., salt coms'r, **23**. 915.
Simpson, Wm., supplies from, **22**. 277.
Simpson, Wm., Jr., juror, **4**. 519.
Simpson, Wm., Sr., in militia, **22**. 280.
Simpson's, inspection at, **23**. 641, 792.
Simpson's Landing, inspection at, **24**. 581.
Simpson's Mill, **8**. 620, 715.
Sims. See Simms.
Sims, Benj., removed, **22**. 313, 314.
Sims, Elisha, in militia, **22**. 160.
Sims, Elisha, takes oath, **22**. 175.
Sims, Hen., juror, **25**. 189.
Sims, Henry, land grant to, **4**. 649, 1039.
Sims (Simms), Joel, militiaman, **9**. 344, 689.
Sims, Jos., juror, **25**. 189.
Sims, Joseph, land grant to, **4**. 592, 710.
Sims, Jos., vestryman, **23**. 250.
Sims, Lennard, takes oath, **22**. 175.
Sims, Robert, a J. P., **6**. 343.
Sims, Robert, building coms'r, **24**. 290-1.
Sims, Robt., juror, **25**. 189.
Sims, Robert, petition granted, **17**. 403.
Sims, Sherwood, takes oath, **22**. 176.
Sims, Sherwood, Jr., in militia, **22**. 160.
takes oath, **22**. 175.
Sims, Thos., in militia, **22**. 160.
takes oath, **22**. 176.
Sims, Wm., asks for larger pay at Fort Johnston, **4**. 1051.
Sims, Wm., deputy surveyor, **7**. 258.
Sims, Wm., exempted, **4**. 864.

Sims, Wm., in militia, **22**. 161.
Sims, Wm., land grant to, **4**. 710.
Sims (Simms), Wm., militiaman, **9**. 344, 689.
Sims, Wm., payment to, **22**. 441.
receipts bill, **22**. 463.
Sims, Wm., takes oath, **22**. 175.
Simsell, James, army pay, **17**. 249.
Simson. See Simpson.
Simson (Jimson), ——, History of the Church, **2**. 583.
Simson, Arch., on regulation of Cross Creek, **15**. 209-211.
Simson, Benj., petitions Spotswood for help, **1**. 819-820.
Simson, Dimsey, petitions on county bounds, **9**. 633-634.
Simson, Joab, in militia, **17**. 1155.
Simson, John, **2**. 809.
Simson, John, in army, **15**. 730.
Simson, Nathaniel, claims proved, **8**. 517.
Simson, Walter, petitions on roads and ferries, **5**. 164-166.
Simson, Wm., law suit, **1**. 523.
Sinckter, Robert, settler, **1**. 76.
Sinclair. See Senclair.
Sinclair, Gen., leaves Va., **15**. 664.
Sinclair, Peggy, immigrant, **7**. 544.
Sinclair, Wm., army rank, **16**. 1163.
Sinclare, Mr., removes from New Castle, Pa., **2**. 18.
Sinclare (Sinclaire, Sinclair), Samuel, a J. P., **3**. 252, 537; **4**. 47, 224, 346, 712.
agrees not to attend assembly, **4**. 1192.
chairman committee of whole, **4**. 739, 742.
collector, **23**. 373.
coms'r of fortifications, **23**. 293; on navigation, **23**. 375; on town, **25**. 229.
county clerk, **5**. 320.
dead, **5**. 292, 521, 522.
discharged by court, **2**. 672.
in assembly, **3**. 635, 640; **4**. 115, 116, 122, 126, 363, 366, 367, 377, 414, 483, 488, 493, 501, 505, 510, 512, 546, 652, 653, 720, 723, 726, 727, 733, 740, 741, 742, 748, 770, 773, 775, 776, 781, 790, 855, 858, 859, 900, 902, 903, 904, 906, 907, 1278, 1279, 1337, 1340, 1347; **5**. 57, 58, 65, 232, 239, 243, 244, 246.
inspector, **23**. 381.
land grants to, **4**. 709.
on com. of assembly, **3**. 637, 640; **4**. 85, 121, 384, 476, 497, 722, 723, 737, 738, 773, 1318, 1331; **5**. 39, 54, 55, 219, 237, 239, 240.
on com. of claims and clerk, **22**. 400, 403, 404.
recommended as treasurer, **4**. 240.
rights proved, **4**. 626.
road coms'r, **23**. 222.
thanks Boyd for sermon, **4**. 118.
Sinclear, Robert, claims allowed, **9**. 408, 409, 512, 520, 521.
Sinexen, Brewer, land grant to, **4**. 1034.
Sing, Thos., in militia, **22**. 370.
Sing, Thos., in militia, **22**. 377.
Singe, Dr., book of ment'd, **6**. 231.
Singelary, Wm., land grant to, **4**. 336.
Singfield, Francis, claims, **4**. 529.
Singfield, Francis, petition, **4**. 510.
Singletary. See Singelary, Singletory.
Singletary, Ithamas, petitions on roads and ferries, **5**. 164-166.
Singletary, Joseph, army pay, **17**. 251.
money from, **21**. 1065.
pensioned, **12**. 148, 298, 309; **19**. 442, 447, 782.
Singletary, Josiah, pensioner, **22**. 86.
Singletary, Richard, **4**. 51, 60.
Singletary, Richard, **24**. 848.
Singletary, Richard, ensign, **10**. 518.
Singletary, Richard, law suit, **6**. 1082.
Singletary, Richard, lives in Bladen, **3**. 450.
Singletary, Wm., lieut., **10**. 944.
Singletary, Wm. R., money from, **21**. 1065, 1066.
Singleton, ——, **14**. 230.
Singleton, ——, lot of sold, **16**. 334.
Singleton, Mr., **14**. 70.
Singleton, Mr., case of, **18**. 216, 425, 482.
Singleton, Mr., holds goods of Savage & Westmore, **13**. 29.
Singleton, Mrs., claims, **4**. 915.
Singleton, Capt., **14**. 728.
commands Va. troops, **14**. 691.
shoes to, **14**. 413.
work at Guilford C. H., **15**. 430.
Singleton, Benj., army pay, **17**. 250.
Singleton, Henry, army pay, **17**. 246.
army rank, **13**. 516; **16**. 1158.
Singleton, Henry, in army, **13**. 528.
Singleton, James, collects suit rents, **2**. 727, 729.
land lapses, **2**. 452-3.
Singleton, John, assaulted and dismembered, **2**. 713, 718.

Singleton, Jno., in militia, **17**. 1042.
Singleton, John, land grant to, **4**. 635.
Singleton, R., **21**. 192.
Singleton, Richard, in assembly, **17**. 298, 304, 335, 365, 366, 368, 387, 391, 394, 395, 406, 410, 421, 425; **19**. 275, 282, 286, 295, 300, 325, 337, 430, 504, 616, 622, 643, 650, 667, 671, 675, 677, 682, 688, 714, 794, 812, 822, 824, 835; **20**. 102, 141, 165, 194, 230, 239, 246, 276, 287, 288, 344, 482, 514, 516, 519, 520, 523, 526, 527, 543, 545, 546, 550, 554, 555, 567, 577, 588; **21**. 154, 228, 250, 581, 592, 593, 671, 679, 680, 686, 694, 696, 697, 726, 732, 753, 781, 789, 802, 806, 809, 815, 836, 839, 845, 846, 851, 852, 860, 862, 867, 901, 954.
in conv. 1788, **22**. 8, 26, 27, 31, 32, 35.
major, **17**. 734.
on com. of assem., **17**. 402, 403.
Singleton, Richard, juror, **22**. 502.
Singleton, Rippily, prisoner, **17**. 1045.
Singleton, Rob., army rank, **16**. 1159.
Singleton, Robert, army pay, **17**. 248.
Singleton, Shyers, to Caswell on threatened Br. invasion, **14**. 85-6.
Singleton, Spyers, **19**. 176.
a J. P., **23**. 993.
act for him to cut canal, **24**. 634.
bill to help him cut canal, **19**. 584, 593, 701.
coms'r of capitol, **19**. 667; on navigation, **24**. 502; on coast navigation, **24**. 720; on school, **24**. 607.
in assem., **19**. 718, 719, 734, 756, 763, 773, 778, 794, 816, 824, 827, 832, 835.
in Prov. Cong., **10**. 165, 167, 173.
manager of lottery, **24**. 821.
nom. for C. of State, **17**. 337, 413; **18**. 114, 121, 174, 189, 340, 347, 397, 420, 450; **20**. 49, 65, 100.
petition, **20**. 173, 176, 252, 350, 432.
to Caswell on exposed situation of Beaufort, **11**. 632-633.
Singleton, Thomas, army pay, **17**. 248.
prisoner, **15**. 392.
reports on battle of Guilford C. H., **15**. 396.
Singleton and Jones, **24**. 444.
Singleton's Mills, **22**. 93.
Br. at, **14**. 748.
Singletory. See Singletary.
Singletory, Richard, a J. P., **3**. 425.
Sink, Paul, army pay, **17**. 249.
army rank, **16**. 1162.
Sinking fund, **4**. 997, 999.
act for repealed, **25**. 174; for tax for, **24**. 475-8, 482-5, 578-9, 682, 725, 886, 945-6, 952; **25**. 9, 41; for tax for bills of credit, **25**. 234-5, 238; to collect arrears of tax, **24**. 945-6, 990; to create out of confiscated property, **24**. 475-8, 482-5, 578-9, 682; to issue bills of credit for, **25**. 157-8; to refund, **23**. 840-1.
bill to collect arrears, **20**. 532, 557; to indemnify sheriffs for not collecting, **8**. 356, 359, 365, 383, 407, 411, 412, 416-417, 420, 433, 434, 478-479.
borrowed, **10**. 991.
committee on and reports on, **9**. 484, 510, 576, 577.
condition considered, **8**. 84.
establishment proposed, **16**. 373.
Martin on repeal of poll tax for, **9**. 230-235.
ordinance to borrow, **23**. 989.
overpaid, **8**. 544.
provided by Cont. Cong., **14**. 241-243.
provision for, **3**. 189; **23**. 295, 296.
report on, **6**. 201, 208; on money paid into and burnt, **8**. 212, 215.
use of discussed, **6**. 175, 176-177, 178, 179, 186, 187, 188, 190, 193.
used for general expenses, **12**. 104, 105.
Sinns, Joseph, land grant to, **4**. 711.
Sionyeas, Lamon, army pay, **17**. 250.
Sippard, Wm., petition on separation, **22**. 705-12.
Siprus Bridge, **1**. 494, 534, 550.
Sipsays, James, **4**. 1241.
Sirks, James, in army, **13**. 524.
Sirlicum, ——, law suit, **1**. 587.
Sirls, Isaac, in militia, **22**. 321.
Sirls, Peter, army pay, **17**. 248.
Sirmon, Levy, army rank, **16**. 1161.
Siscoe, ——, army rank, **16**. 1158.
Sisk, Daniel, pension to children, **19**. 482, 483, 824.
Sisk, Jas., army rank, **16**. 1159.
Sisny, Dolay, petitions for release of husband, **10**. 841.
Sisny, Stephen, petition for release of, **10**. 841.
Sisson, Wm., in militia, **22**. 372.
Sissums, Richard, land grant to, **4**. 628-629.

Sist (Sest, Scot), Benj., relief from, **4**. 626.
Sistims, Henry, land grant to, **4**. 58.
Siston, Henderson, juror, **4**. 516.
Sites, Michael, pardon of recommended, **14**. 340.
reprieved, **22**. 959.
Sites, Peter, ensign, **10**. 937.
Sitgraves. See Setgraves.
Sitgraves, Wm., draft in favor of, **5**. 962.
Sitgreaves, ——, 12. 610.
Sitgreaves (Setgreaves), Mr., 8. 683; **10**. 729; **15**. 732.
goods taken, **13**. 448.
public claims com. meets at house of, **8**. 141, 143.
to load wagons, **13**. 146, 147.
Sitgreaves, Capt., pay to, **22**. 499.
Sitgreaves, John, 10. 287; **17**. 111; **21**. 436.
accounts of as delegate in C. C., **17**. 369; of confiscated property, **18**. 169, 192, 198, 419, 427.
and attendance on C. C., **17**. 540, 544.
auditor of accounts, **13**. 607, 734*h*-734*j*.
chm. com. of whole, **18**. 311.
claims allowed, **9**. 371, 589.
clerk of senate, **12**. 549; **13**. 228, 452, 623, 736, 783, 907; **14**. 265; **15**. 196, 198, 200, 205, 206, 388, 389; **22**. 765.
coms'r on school, **24**. 607.
committee sits at house of, **6**. 738, 739.
Fed. attorney, **22**. 800; judge, **17**. 272.
in assembly, **18**. 227, 228, 240, 247, 250, 257, 267, 284, 291, 308, 311, 312, 315, 317, 327, 344, 346, 350, 356, 357, 360, 361, 362, 365, 372, 375, 376, 389, 395, 399, 429, 440, 469, 470, 471, 477, 478; **19**. 489, 490, 499, 511, 522, 523, 531, 562, 577, 594, 598, 613, 616, 622, 643, 650, 676, 679, 682, 688; **20**. 120, 121.
in C. C., **17**. v, 79, 112, 143, 311; **19**. 465, 466, 468, 582, 583, 809, 813, 815; **20**. 28, 41.
in conv. 1788, **22**. 4, 6, 25, 28, 30, 32.
journals of cited, **12**. 612; **13**. 908, 909, 910.
leader, **18**. iv.
letter of ment'd, **17**. 273; laid before assembly, **17**. 328; on service in C. C., **20**. 41.
lieut., **10**. 518.
nom. for judge, **21**. 853, 1027.
on com. of assembly, **18**. 8, 12, 33, 80, 132, 150, 161, 163, 166, 177, 217, 235, 239, 263, 266, 282, 283, 313, 356, 372, 383, 386, 388, 395, 425, 444.
signs acts as speaker H. C., **24**. 950, 951, 994.
speaker H. C., **20**. 121, 190, 245, 267, 299, 300; **21**. 3, 4, 92, 188, 189.
to Caswell on letters, **22**. 761; on public affairs, **13**. 214; **17**. 433.
to Johnston on his app't as gov., and answer, **20**. 789-790.
to Martin on public affairs, **17**. 606-607.
trustee univ., **25**. 22.
witness, **20**. 699.
Sitgreaves (Sitgraves), John, clerk of H. C., **19**. 373, 376.
declines as clerk of senate, **17**. 635.
Sitgreaves, Thos., auctioneer, **24**. 559.
Sitgreaves, Thos., bills to be burnt, at house of, **9**. 403, 404, 412, 431, 434, 511, 513, 549-550.
buys at Martin sale, **22**. 880, 882, 883, 887, 888.
claims, **9**. 448, 527, 590; allowed, **6**. 743; **8**. 364-365, 374, 432, 435, 438, 453, 456, 470; **22**. 856, 879; **9**. 224, 225, 370, 371, 589, 591, 953.
claims com. sits at house of and allowance to, **22**. 853, 855.
coms'r on building, **24**. 522.
coroner, **9**. 298.
delivers sundries to troops, **12**. 610.
marshal of admiralty ct., **12**. 20-21, 25, 43, 44, 45.
memorial on school, **7**. 35-36.
publishes slander, **6**. 276.
register of admiralty ct., **10**. 542.
sells salt and settles for same, **10**. 461.
to receive payment for Pa. Farmer, **12**. 623, 641, 746.
to sell the Polly, **10**. 550.
Sitgreaves, Thos., pays soldiers, **22**. 422, 425.
Sitgreaves, Thos., Sr., to buy vessel for use of State, **13**. 605-606, 608.
Sitgreaves, Thos., and Son, deliver suplies to troops, **13**. 607.
Sitgreaves, Wm., petition on trade, **5**. 321-324.
Sitigo, 17. 586.
Sitt, David, asks pardon for Fruit, **9**. 93-94.

Sitterson. See Setterson.
Sitterson, James, land lapses, **2.** 355.
ordered to pay for Indian slave, **2.** 379.
Sitterson, James, a J. P., **4.** 346.
juror, **4.** 517.
Sitterton, James, a J. P., **4.** 47.
Sittico, 16. 924.
Sitton, Philip, asks pardon for Welborn, **9.** 26-27.
recommends Welborn, **9.** 25-26.
regulator, **7.** 736.
Sivell, Wm., in militia, **22.** 324.
Sivett, Allen, army rank, **16.** 1165.
Six Confirmed Laws, 23. 1-3; **25.** 159, 161.
Six Mile Camp, 10. 837.
Six Mile Creek, 19. 969, 990; **22.** 132.
camp at, **15.** 127.
Smallwood at, **14.** 453, 460.
Six Nations, 5. 464; **10.** 178.
and French and Indian war, **4.** 820, 822.
boundary of, **7.** 536-538.
claims on lands, **5.** 464.
complain of abuses of traders, **8.** 378, 381, 468-469, 470.
complaints of ment'd, **8.** 533.
favor English against French, **5.** 434.
fight Catawbas, **4.** 1313.
French fort on lands of, **5.** 222.
friendly to English, **6.** 583.
include Tuscaroras, **2.** iv.
land from, **10.** 375; ceded, **16.** 888; conquered by, **5.** 464.
should be protected against French, **5.** 465.
to join English, **5.** 411.
Tuscaroras join, **7.** 219-220, 221, 248-249, 293-294, 298, 431.
visit C. C., **22.** 970.
visited, **5.** 401.
will not go to war, **17.** 521.
Six Runs, 23. 342; **24.** 776; **25.** 247.
lands on vested in Hay, **17.** 838, 931, 964.
Six Runs (?), Duplin Co., **15.** 202.
Sixth Regiment, 15. 738; **16.** v, 610; **22.** 768, 1011.
colonels for, **22.** 915.
officers of sent home to recruit, **13.** viii.
Sixteenth Regiment (British), 15. 255, 260.
commended, **15.** 306.
report on, **17.** 1009.
Sixtieth Regiment (British), 15. 255.
ordered to St. Augustine, **15.** 317.
Sixty-second Regiment (British), 15. 291.
Sixty-third Regiment (British), 15. 278, 280.
and battle of Camden, **15.** 270.
guards prisoners, **15.** 277, 279.
movements, **15.** 276; and fights Sumter, **15.** 304-305, 306.
to invade N. C., **15.** 261.
Sixty-fourth Regiment (British), 15. 299; **17.** 1029.
sent to the Wateree, **15.** 306.
Size of North Carolina, 3. 432.
computed, **4.** 158.
Skanwankee, 2. 139.
Skean. See Skien, etc.
Skean, John, in army, **13.** 522.
Skebbow. See Skibbow.
Skebbow, Henry, exempt, **22.** 388.
Skebbow, Henry, in militia, **22.** 388.
Skebbow, Lewis, in militia, **22.** 387.
Skeeler, Ed., quit rents of, **22.** 257.
Skeene, Mr., asks pay for S. C. boundary survey, **4.** 270.
Skeene, John, army rank, **16.** 1159.
Skeeter (Skeler), Pleasant, petition of considered, **12.** 271, 287.
Skeets, Wm., army rank, **16.** 1161.
Skehorn, Wm., army pay, **17.** 247.
Skelelak, signs treaty, **17.** 586.
Skeliton, Joseph, takes oath, **22.** 176.
Skellington, E., prisoner, **16.** 673.
Skelton, James, army pay, **17.** 251.
Skelton, John, rights proved, **4.** 640.
Skene. See Skien, etc.
Skene (Skine), Alex., allowance as S. C. boundary commissioner considered, **4.** 327.
petitions for pay for surveying S. C. boundary and action on same, **11.** 27-29.
S. C. boundary commissioner, **5.** 374-375.
Skene, Philip, aids Germans, **8.** 632.
Skenking, Bernard, to be restored, **1.** 382.
Skeptic, in Albemarle, **1.** 217.
Sketaloska, signs treaty, **17.** 586.
Sketar, Joseph, army pay, **17.** 250.
Sketo, Jos., army rank, **16.** 1161.
Sketo, Wm., army pay, **17.** 246.
Skewaky, 9. 174.
Skiajuska, 7. 994.
Skibber, Henry, rights proved, **4.** 596.
Skibbon, Henry, land grant to, **4.** 1034.

proves rights, **4**. 1033.
Skibbons, Henry, land grant to, **4**. 1253.
rights proved, **4**. 1239.
Skibbow. See Skebbow.
Skibbow, Henry, act for town on lands of and town coms'r, **23**. 399; **25**. 268-70.
bill for town on lands of, **5**. 183, 184, 185, 186, 187, 199, 201, 203, 204, 205, 206, 208.
land grant to, **4**. 1049.
patents asked for and changed, **6**. 637.
petitions on roads and ferries, **5**. 164-166.
witness, **5**. 820, 821.
Skibbs, Wm., rights proved, **4**. 763.
Skibley, Henry, land grant asked for, **4**. 454.
Skien. See Skean, Skeene, Skene, Skine.
Skien, John, in army, **13**. 528.
Skilar, Elias, army pay, **17**. 248.
Skimino Creek, Va., **22**. 734.
Skin, Samuel, regulator, **7**. 735.
Skine, N., runs S. C. line, **6**. 776, 793.
Skinner, ——, patent to, **9**. 767.
Skinner, Mr., **7**. 163.
Skinner, Mr., **8**. 270.
Skinner, Mr., **15**. 318.
Skinner, Mr., **22**. 791.
Skinner, Capt., militia discharged, **12**. 523.
Skinner, Dr., acquitted, **9**. 356.
Biddle to on hire of teams, **15**. 401.
Skinner, Gen., **11**. 571, 688.
Skinner, Gen., commands Br. troops, **13**. 333.
Skinner, Lieut., commander, **15**. 306.
Skinner, Charles, vestryman, **23**. 499.
Skinner, Evan, army rank, **16**. 1164.
on Chowan S. C., **10**. 847.
Skinner, Jno., army rank, **16**. 1154.
Skinner, Jno., army rank, **16**. 1165.
Skinner, John, buys tobacco, **21**. 567, 568.
coms'r on navigation, **24**. 966.
Fed. marshal, **22**. 800.
in assembly, **17**. 265, 266, 279, 284, 296, 304, 318, 323, 329, 330, 354, 359, 364, 365, 366, 368, 387, 394, 406, 412, 415, 424; **18**. 2, 3, 6, 11, 230, 236; **19**. 143, 157, 234, 235, 252, 262, 273, 282, 286, 295, 299, 325, 334, 354, 359, 400, 401, 403, 412, 421, 436, 443, 459, 460, 461, 463, 467, 471, 473, 475, 486, 487; **19**. 490, 493, 528, 539, 562, 588, 613, 614, 622, 643, 667, 671, 675, 688, 727, 742, 752, 808, 817; **20**. 8, 33, 35, 38, 54, 122, 124, 140, 176, 185, 193, 229, 302, 303, 304, 306, 317, 318, 327, 328, 347, 351, 362, 363, 369, 370, 372, 379, 380, 386, 390, 416, 417, 420, 426, 427, 431, 434, 438, 479, 506, 568; **21**. 281, 634, 744, 773, 774, 799, 801, 805, 806, 815, 839, 845, 846, 852, 860, 862, 867, 868, 875, 930, 932, 958, 966, 974.
in C. C., **19**. 466, 813.
in conv. 1788, **22**. 3, 6, 23, 25, 28, 30.
in conv. 1789, **22**. 38, 47, 48.
in C. of S., **20**. 226, 244, 414, 430, 491, 500; **21**. 19, 37.
on claims com., **22**. 853.
on com. of assem., **18**. 4, 262.
reports on treasury, **19**. 415.
resigns from C. of S., **21**. 566.
Skinner, John, dead, **9**. 139, 140.
in assembly, **7**. 342, 343, 941; **8**. 106, 110, 138, 143, 146, 303, 304, 346, 387, 411, 416, 417, 418, 422, 444, 455, 467; on com. of assembly, **7**. 345; **8**. 90, 104, 110, 111, 141.
Skinner, John, in army, **13**. 522.
Skinner, Jno., in militia, **22**. 360.
Skinner, Jno., in militia, **22**. 360.
Skinner, John, regulator, **7**. 808.
Skinner, John, regulator, **8**. 80.
Skinner, Jonathan, a J. P., **17**. 922.
in assembly, **16**. 2, 29, 131; **17**. 878, 879, 925; **19**. 391, 393, 396, 398.
Skinner, Joshua, presents address to assem., **9**. 176-177.
in assem., **21**. 2, 4, 6, 44, 47, 52, 66, 68, 74, 77, 109, 115, 121, 123, 125, 130, 133, 154, 160, 168, 178, 179, 190, 198, 203, 213, 214, 221, 222, 232, 235, 240, 254, 258, 264, 266, 286, 314, 326, 397, 578, 581, 582, 584, 585, 587, 588, 589, 595, 596, 601, 604, 606, 610, 615, 617, 620, 621, 627, 632, 633, 634, 649, 657, 662, 664, 670, 679, 680, 691, 692, 694, 696, 697, 705, 707, 725, 726, 730, 732, 734, 747, 754, 762, 780, 781, 794.
in conv. 1788, **22**. 3, 6, 25, 28, 30, 32.
petition, **21**. 755, 779, 904, 933, 938.
Skinner, Lewis, allowed pay for seizing prisoner, **2**. 668.
juror, **2**. 366, 399.

Skinner, Mary, complaint of, **2**. 574.
Skinner (Skiner), Richard, 23. 93.
afraid of a negro, **1**. 654.
buys land, **1**. 620.
juror, **1**. 582, 605, 608.
law suit, **1**. 563.
road overseer, **1**. 619.
witness, **1**. 627.
Skinner (Kinner), Richard, address to King, **3**. 134-135.
appraiser and divider, **2**. 550.
called to council, **2**. 574.
in assem., **3**. 262, 285, 286, 298, 561, 562, 584, 585, 612, 634, 635; **4**. 103, 106, 115, 126.
juror, **2**. 443, 597, 657, 699, 821, 830; **3**. 282, 319.
Skinner, Richard, money from, **21**. 1064.
Skinner, Richd., quit rents of, **22**. 254.
Skinner, Richard, sheriff, **21**. 1076.
Skinner, Rich., Jr., juror, **25**. 186.
Skinner, Thos., army pay, **17**. 249.
army rank, **16**. 1161.
Skinner, William, 22. 939.
a J. P., **23**. 995.
accounts of, **19**. 514, 517.
allowance to, **12**. 609; **13**. 620, 734*b*; **19**. 370, 415, 416, 744; **22**. 828.
army pay, **17**. 250.
army rank, **16**. 1161.
bond required of as loan office coms'r, **17**. 558.
brig. gen., **12**. 232, 234, 235, 414, 415, 416; of militia, **12**. iv; **22**. 919.
buys tobacco, **21**. 558.
Caswell to on draft on treasury, **13**. 124; on payment of troops, **11**. 564; on Perquimans affairs, **18**. 745; on troops, **13**. 302.
claims, **9**. 486, 591.
coms'r of loan office, **17**. 594; **18**. 380, 578, 702; **20**. 457; **21**. 132; to settle accounts with U. S., **13**. 766-767, 768, 832, 834, 892, 906, 910, 924, 928, 964, 983, 984, 985, 998, 999.
debts due by, **8**. 280-281; in hands of, **10**. 876.
delivers old bills to com., **13**. 605.
drawn on for money to fit out privateers, **11**. 674.
dues from as sheriff, **9**. 573.
gives bond, **18**. 656.
in assembly, **12**. 2, 3, 4, 14, 51, 53, 108; **20**. 4, 5, 6, 7, 8, 14, 18, 21, 38, 39, 60.
in conv., 1788, **22**. 3, 6, 25, 28, 30, 32.
in conv. 1789, **22**. 39, 42.
in Prov. Cong., **10**. 166, 167, 172, 501, 523, 914, 915.
letter on loan office and tobacco, **21**. 92-93, 100.
lieut. col., **10**. 205, 532.
memorial, **13**. 676, 680-681; **19**. 492, 586.
negroes to be delivered to, **10**. 699.
on com. of assem., **12**. 3, 4, 11; **17**. 276, 277, 280, 281, 282, 291, 294, 302, 314, 317, 322, 343.
on com. of Prov. Cong., **10**. 180, 192, 504, 542, 917, 919, 923.
ordered to disband militia, **13**. 12.
payment to, **13**. 351.
petition, **21**. 744, 745, 868, 891, 1057, 1058.
presents petition of Quakers, &c., **13**. 830, 831, 920, 921.
report of rec'd, **20**. 541.
resigns as brig. gen., **13**. 757, 765, 813; **14**. x, 301; **18**. 803; as judge of admiralty, **18**. 211.
surrenders old bills, **19**. 443.
to adjust and settle public accts., **18**. 806-807, 812-813, 815.
to assem. on accounts with U. S., **14**. 349.
to Caswell on concentration of troops, **13**. 251; on drafting of Quakers, and answer, **13**. 274-5, 289, 290; on empty treasury and militia, **13**. 63.
to gen. assem. on requirements of treasurers and emission of currency, **14**. 255-256.
to receive public papers, **13**. 773, 774.
to take charge clerk's office in Perquimans, **10**. 1001-1002.
town coms'r, **23**. 752, 895.
treasurer, **11**. 489, 505; **12**. 232, 233, 234, 414, 415, 416, 602, 608, 711, 715, 718; **13**. 765-766; **16**. 148, 168, 175; **17**. 857, 859, 941, 956; **18**. 804, 806; **19**. 119, 185, 188, 202, 311, 312, 331, 465, 466, 637, 809, 814; **22**. 918.
treasurer of loan office, **21**. 438, 455, 510, 513, 519, 547, 548, 549.
Skinner, Wm., claims allowed, **6**. 210.
Skinner, Wm., gun impressed, **22**. 414.
Skinner, Wm., in assembly, **6**. 661, 663, 669, 673, 690, 800, 893, 900*b*, 901, 917.

Skinner, Wm., in militia, **22**. 360.
Skinner, Wm., land grant to, **4**. 588.
Skinner, Wm. John, elected marshal of Roanoke port, **12**. 562, 563, 668, 670.
nom. for marshal, **12**. 602, 711.
Skinner's battalion, embarks on Br. fleet, **13**. 326.
Skinner's Bridge, Murfree posts troops at, **15**. 560.
Skins, act to prevent export, **25**. 10-11.
as currency, **1**. 452; **2**. 116.
duty on in S. C., **2**. 423.
exports from N. C., **1**. 663-664.
Pollock ships, **1**. 724.
shipped from Albemarle, **1**. 294.
Skippard, Abraham, removed as sheriff, **6**. 771.
See Sheppard.
Skipper, Barnabee, regulator, **8**. 79.
Skipper, Elnor, arrested, **14**. 182, 183.
Skipper, Ezekial, army pay, **17**. 251.
Skipper, Geo., army rank, **16**. 1167.
Skipper, George, bound over to court, **2**. 549, 554.
Skipper, George, land grant to, **4**. 628.
Skipper, George, regulator, **8**. 79.
Skipper, Jas., army rank, **16**. 1165.
Skipper, James, land grant to, **4**. 710.
Skipper, Joseph, army pay, **17**. 247.
army rank, **16**. 1158.
Skipper, Joseph, land grant to, **4**. 710.
Skipper, Josh., army rank, **16**. 1167.
Skipper, Nathan, army pay, **17**. 247.
Skipton, Andrew, army pay, **17**. 248.
Skipton, Robert, army pay, **17**. 249.
Skipton, Thomas, army pay, **17**. 248.
Skipwith, Fulwor, acts for Lord Craven, **2**. 235-9.
appoints deputy, **1**. 842.
at meeting of proprietors, **1**. 832; **2**. 234-235, 298-299.
instructs Hyde, **1**. 844-846.
pays money, **1**. 833.
to assembly on revisal of laws, **2**. 235-236.
Skipwith, Sir Peter, allowed to purchase cattle, **16**. 233-4.
Skipwith, Sir Peyton, allowed to buy cattle for French troops, **16**. 533.
Skirvens, Col., **16**. 499.
Skittlethorpe, Jos., witnesses will, **22**. 297.
Sky, Jese, army rank, **16**. 1165.
Skyagunsto Custenckas, signs Indian treaty, **11**. 203.
Skye, Isle of, **9**. 303.
petition from on land, **9**. 252.
proposed immigration from, **8**. 620, 621-622, 629.
Slack, Josias, account of, **19**. 421, 438.
Slad, John, land grant to, **4**. 353.
Slade, ——, **22**. 427.
Slade, ——, a J. P., **2**. 526.
Slade, ——, adjutant, **12**. 504, 507, 510, 511, 514, 517, 521, 524, 525, 530, 532, 534.
Slade, Ensign, a prisoner, **14**. 818.
Slade, Lieut., **14**. 331; **16**. 515.
leases camp, **16**. 942.
on board of rearrangement, **16**. 575.
on duty, **16**. 481.
rank, **16**. 664, 665.
Slade, Benj., enters caveat, **6**. 770.
Slade, Benj., juror, **25**. 190.
Slade, Benj., no land warrant to, **5**. 817.
Slade, Daniel, coms'r to receive guns of Ransom, **12**. 366.
Slade, Ebenezer, a J. P., **9**. 293.
in assembly, **8**. 99, 110, 147, 293, 301, 304; **21**. 2, 3, 47, 52, 66, 68, 74, 77, 109, 115, 121, 130, 133, 154, 160, 168, 179, 189, 872, 874, 927, 928, 930, 937, 941, 946, 965, 970, 980, 999, 1003, 1004, 1006, 1012, 1015, 1021, 1031, 1032, 1050, 1051, 1055.
volunteers, **14**. 839.
Slade, Ebenezer, in militia, **22**. 271.
Slade, Ebenezer, land grant to, **4**. 618.
Slade, Elija, deserter, **11**. 742.
Slade, Fred'k, army rank, **16**. 1165.
Slade, Henry, appraiser, **2**. 43.
law suit, **1**. 583, 586, 588.
vestryman, **2**. 209; **23**. 8.
Slade, Henry, Sr., law suit, **2**. 89.
Slade, Jno., in militia, **22**. 324.
Slade, John, juror, **25**. 190.
Slade, John, land grant to, **4**. 328; to be resurveyed, **6**. 761.
Slade, John, Sr., a J. P., **4**. 814.
Slade, Joseph, land grants to, **4**. 1248.
rights proved, **4**. 1247.
Slade, Nathan, pensioner, **22**. 86.
Slade, Nathl., army rank, **16**. 1166.
Slade, Reuben, resigns as J. P., **18**. 205, 430, 439.
tax collector, **19**. 706.
Slade, Samuel, a J. P., **2**. 570, 638; **3**. 244, 251, 252; **4**. 224.
caveat against, **6**. 770.
enters caveats, **5**. 817, 818, 1066.
land grant to, **4**. 64, 328, 447, 677, 1241.

vestryman, **2**. 209; **23**. 8.
Slade, Sam'l, Jr., in militia, **22**. 323, 325.
Slade, Stephen, army rank, **16**. 1153.
Cont. lieut., **22**. 1049.
ensign, **13**. 520.
officer, **18**. 486.
promoted, **17**. 142.
rank, **16**. 72, 576, 608; disputed, **16**. 648.
Slade, Thomas, petitions for division of Orange Co., **9**. 809.
Slade, Wm., a J. P., **23**. 994; **15**. 693.
army rank, **16**. 1154.
army record, **13**. 476.
coms'r on town, **24**. 308.
in assem., **8**. 93, 99, 110, 116, 118, 127, 137, 147, 293, 301, 304, 314, 317, 326, 332, 344, 348, 389, 407, 422, 444, 455, 466; **9**. 107, 136, 139, 147, 148, 157, 223, 407, 416, 418, 448, 475, 515, 531, 536, 589, 734, 747; **12**. 306, 340; **16**. 3, 49, 127, 153, 156, 165, 167; **19**. 372, 375, 395.
in conv. 1788. **22**. 2, 6, 25, 28, 29.
in Prov. Cong., **10**. 165.
reports on troops, **15**. 719.
witness, **22**. 432.
Slade, Wm., Sr., pensioner, **22**. 86.
Slade's Creek, 4. 852.
bill for C. H. at, **9**. 403, 510, 511, 514.
quit rents paid at, **25**. 217.
Slade's Landing (Maj.), quit rents paid at, **25**. 217.
Slake, Nicholas, quit rents of, **22**. 247.
Slam, Wm., land grant to, **4**. 342.
Slamford, Samuel, 12. 457.
Slamp, Thos., in militia, **22**. 349.
Slanalon, John, land grant to, **4**. 709.
Slander suit, 2. 399-400.
Slap, Lt., dead, **15**. 754, 757.
Slate, Isle of Skye, 9. 303.
immigrants from, **8**. 620, 621-622.
Slater, James, army pay, **17**. 247.
army rank, **16**. 1163.
Slater, Thos., a J. P., **6**. 80.
Slatter, James, administration letters to, **11**. 428.
Slatter, Margreat, witness, **2**. 109.
Slauback, Jacob, buys land, **24**. 931.
Slaubaugh, Christian, land grant to, **4**. 63.
Slaughter, Jno., army rank, **16**. 1164.
Slaughter, John, land grant to, **4**. 761.
rights proved, **4**. 765.
Slaughter, John, exempted, **6**. 807.
Slaughter, Luke, land grant to, **4**. 642.
Slaughter, Margaret, estate to be appraised, **1**. 387.
Slaughter, Mich., juror, **4**. 516.
Slaughter, Owen, regulator, **8**. 79.
Slaughter, Robt., army rank, **16**. 1164.
Slaughter, Sampson, in militia, **22**. 415.
Slaughter, Sam'l, takes oath, **22**. 179.
Slaughter, Thos., chairman House of Delegates of Transylvania, **9**. 1267, 1268, 1272.
in Leg. of Transylvania, **9**. 1267.
signs contracts for people of Transylvania with proprietors, **9**. 1278.
Slaughter, Thos., debts to, **1**. 398.
estate of, **1**. 393, 430.
estate to be appraised, **1**. 387; squandered, **1**. 413-414.
Slaughter, Thos., patroller, **10**. 243.
Slaughter, Wm., in militia, **22**. 415.
Slaughterdam, headquarters at, **12**. 500, 507.
Slaughter's Tavern, 15. 382.
Slaven, Samuel, army rank, **16**. 1157.
Slaver, Chris., juror, **25**. 190.
Slaves, 1. 86-87-88-89, 650, 654, 764, 966; **2**. 250, 392; **6**. 730; **23**. 618, 638, 652, 653, 718, 719, 727, 761, 776, 784, 868, 915, 916, 917, 918; **24**. 133, 134, 200, 201, 212, 317, 324, 350, 353, 410, 411, 427, 433, 444, 543, 544, 556, 558, 559, 560, 563, 637, 662, 663, 807, 833, 835, 836, 843, 855, 895, 896, 917, 920, 923, 925, 955, 962, 963, 977; **25**. 29, 320, 334, 418, 428, 475, 476, 497.
act against carrying off by captains, **24**. 591; against freeing, **24**. 14-15, 221, 964; against importation, **24**. iv; against introduction of from free States, **24**. 794; **25**. 80; against their raising stock, **24**. 260; against stealing, **24**. 220-1; for duty on imports, **24**. 792-4; **25**. 80; limiting payment for those executed, **24**. 282-3, 382-3, 809; on, **5**. 23; **23**. 62-66, 97, 191-204, 337, 388-90, 488-9, 656; **25**. 161; on levying executions on, **25**. 514-19; on patrolers, **24**. 276-277; on sale of, **24**. 527-8; on their liability for debts, **25**. 496-8; on those confiscated, **24**. 350-1, 376-8, 398; on trading with, **23**. 235, 458; **24**. 497, 729-30; on trial of, **24**. 496-7; **25**. 169-70; to

apply produce to churches, **23**. 535-7; to confirm title in, **24**. 954; to cure titles, **24**. 491; to enfranchise, **24**. 639, 850, 859, 929-30, 963; **25**. 36, 37; to prevent insurrections, **24**. 14-15, 221, 964; to prevent killing of, **23**. 975-6; to prevent thefts by, **24**. 890-1, 896, 920-1, 956; to regulate and restrain, **24**. 725-730, 920-1; to regulate gifts and sales of, **24**. 669-71, 902; **25**. 56; to restrain in Newbern, **24**. 823-4; to sell those freed contrary to law, **24**. 14-15, 221, 964; to tax in Halifax, **24**. 934-6; to vest in heirs of Newby, **25**. 100.
action of Lutheran Church on, **8**. 778.
allowance for ones executed, **21**. 420.
allowed to sign the association, **10**. 72.
amount of land granted for, **4**. 599, 600.
and quotas, **16**. 754-755.
baptized, **4**. 14; **6**. 225, 233, 243, 265, 315, 316, 317, 326, 552, 563, 578, 711, 729.
baptism said to make them free, **2**. 332.
bequests of, **2**. 454, 455.
better gov't of to be provided, **3**. 295.
bill against importation, **22**. 619; concerning, **4**. 477, 503, 505, 542, 546; for additional act on, **6**. 866, 936, 946; **9**. 760, 765; for census, **19**. 435, 454, 486, 754, 771, 774, 797, 814; for duty on, **19**. 546; for new mode of trial of, **21**. 78, 86, 94; for patrols, **21**. 235, 243, 266, 307, 383, 603; for recovery of, **19**. 639, 644, 682; for tax on in Halifax, **20**. 259, 264, 280, 444; on, **19**. 139-140, 143, 154, 250, 251, 256, 271; on dealing in, **21**. 79, 95, 106; on gifts of, **20**. 184, 189-190, 195-196, 201, 300, 352, 363, 367; on imposts on, **21**. 762, 774; on insurrection of, **20**. 530, 558, 576; on payment for those executed, **20**. 492; on traffic in, **20**. 539, 559, 577; **21**. 74, 116, 118; on trial of, **21**. 52-53, 255, 629; on trial of for felony, **20**. 492, 532, 559; to amend act on, **13**. 856, 864, 865-866, 872, 876, 889, 952, 955, 963, 964, 973, 981; **19**. 637, 644; **21**. 889, 941, 959; to amend act on gifts, **19**. 434, 459, 475, 764, 770, 804, 821-822; to apply them to use of church, **6**. 466, 468, 501; to arrest and sell s. set free contrary to law, **13**. 571, 575, 580, 679, 686, 697; to confirm title, **20**. 489, 502, 533; **21**. 23, 29, 57, 79, 86, 101; to direct freedom suits by, **21**. 758, 773, 779, 906, 908, 910, 911, 925, 932; to emancipate, **17**. 312; **18**. 70, 78, 148, 170, 201, 303, 308, 313-314, 317, 356, 360, 363, 372, 394, 400, 430; **20**. 150, 168, 178, 182, 184, 192, 195, 300, 336, 343, 360, 367, 510, 532, 557; **21**. 52, 62, 79, 81, 114, 122, 228, 238, 278, 289, 308, 350, 375, 599, 677, 699, 749, 764, 789, 816, 817, 826, 839, 897, 900, 910, 911, 912, 955, 959, 987, 1012; to emancipate those of Quakers, **20**. 141, 144, 145, 320, 321, 325, 328-329; to lay tax to pay for those executed, **9**. 404, 406, 418, 512, 516, 536; **20**. 153, 158, 333, 354; to permit emancipation, **20**. 30; to prevent circulation of petitions for emancipation, **21**. 806, 972; to prevent importation of, **20**. 144, 145, 149, 175, 206, 325, 328, 348, 492, 556; **21**. 111, 113, 120-121, 757, 904, 907, 912; to prevent insurrections, **21**. 55, 76, 87, 114, 122; to prevent killing, **5**. 666, 668, 670, 676, 698-699, 700, 703-704, 709, 719-720; **9**. 388, 395, 398, 443, 446, 470, 475, 492, 493, 498, 504, 583, 586, 663, 716, 727, 752, 754, 759, 777, 784, 851, 855, 861, 899, 900, 910, 914, 917, 928, 1013; to prevent stealing of, **13**. 564, 580, 608, 685, 721, 728; to regulate sale, **17**. 328; to regulate, **17**. 346, 368-369, 382, 385, 414; **20**. 77, 80, 106; to repeal act paying for those executed, **18**. 166, 209, 223, 400, 439, 440, 446; to repeal acts on, **21**. 774, 787, 788, 799, 929, 950, 959; to repeal act to pay for those killed or executed, **19**. 646; to repeal impost on, **21**. 219, 223, 238, 589; to repeal part of act on, **6**. 1223, 1225, 1228, 1252, 1267, 1269, 1272, 1274, 1276, 1279; **7**. 92; **12**. 51, 55, 62; to secure those bought in Ga., **19**. 199, 328; to tax importation of, **18**. 89, 131, 159, 261, 321, 322, 339, 355, 369.
bought in S. C., **2**. xii; in Va., **2**.

xii; **3**. 598, 608-609, 621-622.
burdens to masters, **1**. 682.
burned for murder, **22**. 834.
captured by the Nancy, **11**. 778, 779.
carried off by Br., **14**. 2, 3; **15**. 634-635; **18**. 420, 428, 770; **18**. 715, 716, 717, 746; by Spaniards, **4**. 1301.
castrated and paid for, **6**. 740, 742; **22**. 819, 825, 830, 831, 834, 837, 839, 843, 850.
census of in Rowan, **10**. 280; in 1790, **26**. iii, and passim; provided for, **10**. 180; to be taken in Pitt, **10**. 255-256.
character, **2**. 332.
Cherokees sold, **13**. 204.
claims for 2 executed considered, **5**. 985.
claims to, **18**. 623, 624-625, 662-663, 680-1.
com. to consider means to prevent desertion, **10**. 567, 569.
compensation for those taken by Br., **19**. 802.
condemned and paid for, **22**. 824.
confiscated, **19**. 672; and restored, **17**. 866.
control of provided in F. C., **2**. 857.
delivered to master, **18**. 571-572.
distrainable for quit rents, **5**. 449, 452-453, 455, 456-457.
distress on a grievance, **5**. 298.
duty on, **18**. 453.
East Indian, **13**. 380.
efforts to incite, **9**. xxxvi, xxxvii; **10**. 11-12; **13**. 734*e*, 734*k*; denounced, **10**. xxv-xxvi; to recover from Br., **14**. 758; **15**. 498.
emancipated and paid for, **21**. 1076; and sold by State, **21**. 933.
employed against Yemassees, **2**. 230.
executed, payment asked, **4**. 123-124; paid for, **6**. 211, 739, 741, 742; **8**. 142, 382, 475, 476; **12**. 610; **13**. 559-560, 561, 661-662; **19**. 148, 151, 203, 205, 254, 256, 258, 261, 267, 333, 414, 440, 443, 477, 513, 516, 520, 522, 526, 528, 529, 530, 551, 555, 556, 558, 738, 739, 741; **22**. 402, 830, 833, 837, 841, 842, 844, 847, 848, 850, 851, 853, 854, 856, 857, 858, 859, 860; **23**. 64, 203, 656; for rape and paid for, **5**. 977; for theft and paid for, **13**. 559, 658, 661.
fears of arming them, **2**. 197; of desertion to enemy, **11**. 708.
forbidden in N. W. Territory, **20**. 746.
freed, and bill to vest in heirs, **21**. 761, 762, 768, 813, 914, 923, 966, 981, 1004, 1020; by Dunmore, **10**. 309, 371.
from Congo, **9**. 826.
furnished in place of pension, **25**. 335.
grants in proportion to, **3**. 101.
harbored in C., **1**. 371.
have no religious instruction, **6**. 265.
importation refused, **9**. 1222, 1266.
imported and reshipped by S. C., **9**. 1097-1098; from Africa, **21**. 82; from R. I., **9**. 1151.
impressed, **22**. 603.
in Federal Constitution, **20**. 778.
in 1689, **1**. 369.
in Va. in 1756, **5**. 564-5.
incited by British, **13**. 432.
Indian, **11**. 10, 23, 24; made slaves when captured, **23**. 517; sold, **10**. 897; taken by Barnwell, **1**. 956; taken by Indians, **2**. 30; to be reduced to, **10**. 894.
indications of numbers, **3**. 426.
inducements to by Br. governors, **10**. 512.
inequality in taxation of, **8**. 83.
instructions against duties on imports, **5**. 1118.
insurrection in S. C., **8**. 559, 560, 571; threatened in S. C., **2**. 394, 421; proposed, **10**. 22.
join Br., **22**. 593.
killed and paid for, **22**. 815; in Spanish alarm, **22**. 277.
law against killing of needed, **5**. 660; against severity to, **3**. 106; suit over, **2**. 104.
limitations on in S. C., **11**. 46-47.
list of in Pollock's will, **22**. 292-3; of those carried away by Br. to be pubd., **18**. 199.
Martin proposes to arm, **10**. 137.
masters refuse to allow baptism, **1**. 720.
may act as pilots, **24**. 503.
may be church members, **1**. 204; under Fund. Constns., but not to be free, **25**. 134-5.
may be distrained for quit rents, **25**. 308.
message to gov. on transportation of convict, **6**. 680.
more numerous in S. C., **11**. 131, 151.

mortality among, **11**. 749.
necessity for, **6**. 1026.
need of in S. C., **8**. 558.
needed by Urmston, **2**. 288, 310.
not accepted as substitutes, **24**. 336, 362, 386, 414.
not capable as witnesses, **23**. 61, 262; **25**. 283, 445.
not liable to distress, **4**. 187.
not to be emancipated in Tenn., **25**. 6.
not to be imported, **10**. 24.
not to cultivate tobacco, **23**. 952.
not to hunt or travel at night, **23**. 114; **24**. 33, 113, 162-3, 269, 596.
not to keep houses in Wilmington, **24**. 513, 621.
not to raise tobacco, **24**. 109.
notes on acts on, **3**. 187, 190.
number, **5**. 124; as indicated by rights for land, **4**. 594, 595, 596, 598, 601, 602, 603, 615, 617, 619, 625, 626, 627, 629, 633, 634, 636, 637, 638, 639, 640, 644, 649, 650, 705-706, 708, 709, 759, 763, 765, 766, 799, 800, 851, 946, 1032, 1033, 1034, 1038, 1039, 1238, 1239, 1247, 1249; in New Hanover, **6**. 986; in 1756, **5**. 575; in S. C., **2**. 233; less in N. C. than in S. C., **9**. 612; of taxables, **7**. 145-146.
of loyalists to be seized, **10**. 529-530.
outlawed and burnt, **5**. 976; and value of claimed from public, **8**. 102, 138; shot and paid for, **9**. 724, 771, 778, 784.
overseers exempted from musters, **23**. 519.
paid for when outlawed and killed or hanged, **12**. 72, 73.
paid to soldiers, **24**. 338, 369.
patrolers for Pitt, **10**. 63-64.
pension money invested in for use of regulation pensioners, **9**. 131, 199, 200.
petition of Quakers on manumission of and report on same, **13**. 540, 561, 635, 638, 659-660, 667, 686, 697; on duty on s. imported, **20**. 389-390.
price, **4**. 1207; **11**. 781, 786; allowed for one executed, **4**. 149; in Va., **1**. 693-4.
proof of reshipment required, **9**. 1168.
proposition to seize as forfeit, **9**. 1173.
public service of, **20**. 57.
Quakers ask for freedom of, **18**. 34, 51, 53, 61, 258, 269, 283, 286; for right to liberate, **19**. 29, 31-32, 33, 35, 53, 62, 63.
rebellion of, **19**. 258.
reckoned as tithables above 16 yrs. of age, **4**. 1060.
recovery of, **17**. 124, 126.
regulation of those of orphans, **25**. 322.
religious work among, **2**. 331-333.
report on employment of as soldiers in S. C., **19**. 911-914; to be made on, **3**. 112; on those carried off by British, **16**. 408-409, 411.
reshipped, **9**. 1171.
resolution against, **9**. 1026; against importation of, **9**. 1046.
restored to master, **18**. 186-7.
returned to N. C., **17**. 595-596.
revert to State and freed, **19**. 552.
run to C., **1**. 248.
runaway, shot, and paid for, **5**. 980.
seized, **18**. 123; by British, **10**. 479; by sheriff, **4**. 680, 681; for taxes, **25**. 164; to seize those left by British, **24**. 901.
ship load of captured, **13**. 149.
sold at Cape Fear River and taken by Burrington, **3**. 362; by guardian, **19**. 158, 188, 195, 275, 277, 311, 314, 322; for fees, **5**. 299.
statistics of, **26**. 240-1313.
stolen, **10**. 692-693; by militia, **22**. 602.
suit for, **22**. 625-9.
taken by Indians, **1**. 893; **2**. 313, 315; **11**. 10-15; by the Lydia, **11**. 813; for debt, **2**. 94.
tax on, **4**. 746; proposed, **16**. 436.
taxables, **23**. 72, 345, 526-7; **25**. 162; at 12 years, **2**. 889.
testify against Knight, **2**. 345-7.
theft of, **2**. 406, 409-11, 415, 471.
to be appropriated for soldiers, **15**. 198.
to be bought by Urmston, **2**. 279.
to be brought from Guinea, **2**. 260-261.
to be hired out by State, **12**. 145, 150-151.
to be ransomed from British, **16**. 110.
to be reshipped, **9**. 1113.
to be restored by Choctaws, **18**. 799; by Indians, **3**. 131, 132-133; **18**. 493, **19**. 905, 939.

to be sent to Va. from S. C., **2**. 203; in place of soldiers, **2**. 253-254.
trade in beneficial, **11**. 225.
trade with forbidden, **2**. 96, 114.
transported into N. C. for crime, **23**. 489.
trial for and stealing of, **14**. 871, 872; reported, **20**. 8, 9, 12, 22, 23, 317.
tried and pay asked for, **18**. 12, 29, 33, 34, 52, 183, 239, 242, 243, 258, 261, 263, 264, 268, 279, 286, 298, 393, 403-404, 416, 439, 440; for murder and to be burned, **13**. 375-376; sentenced and valued, **7**. 685-686.
trouble over, **20**. 341; from freeing of, **23**. 106-7.
under absolute control of master under Fund. Constn., **25**. 135.
value, **2**. 261; **19**. 599; **24**. 201, 431; of one executed, **4**. 529, 530; in Ga. and no. lost, **16**. 646.
See also Indentured Servants; Indian Slaves, Servants and Slaves.
Sledge, Arthur, ensign, **10**. 975.
reports on Halifax gun factory, **12**. 586-587, 596-597, 694-695, 705-706; **13**. 383-4.
Sledge, Daniel, coms'r to examine guns, **12**. 183-184.
Sledge, Nathaniel, in militia, **17**. 1061.
Sleep Rock, 14. 314.
Slingsby, Mrs., 16. 937, 947, 955.
Slingsby (Slingsbee), John, captures Cross Creek, and character, **22**. v, 1047.
claims paid, **10**. 438.
discharged by Prov. Con., **10**. 524.
goods sold, **9**. 1120.
killed at Elizabethtown, **22**. v.
on Wilmington com. of secrecy and corres., **10**. 298.
on Wilmington S. C., **10**. 283, 298, 299, 304, 345, 405, 410, 411, 412, 418, 419, 427, 431.
pays money to S. C., **9**. 1153; **10**. 29, 437.
sells powder, **10**. 29.
signs asso'n of C. C., **9**. 1152, 1166.
to protect channel of Cape Fear River, **10**. 336.
wounded, **22**. 205, 206, 238.
Slingsby, John, & Co., ask to have goods sold, **9**. 1095, 1098.
Sliniger, Francis, a J. P., **4**. 814.
Sloan, Allen, land grant to, **4**. 1247.
Sloan, Allen, road coms'r, **25**. 264.
Sloan, Arch., in militia, **17**. 1056.
Sloan, Fergus (Stone?), 21. 630, 705, 715.
act for town on lands of, **25**. 33-4.
Sloan, Henry, 5. 1205, 1208.
Sloan, Henry, claim, **9**. 487, 488, 527.
Sloan, Henry, juror, **10**. 7.
Sloan, James, army pay, **17**. 250.
pensioner, **22**. 85.
Sloan, Jas., in militia, **22**. 437.
Sloan, John, in assembly, **16**. 2, 3, 49, 127, 153, 156, 165, 167; **17**. 265, 266, 293, 304, 326, 354, 359, 365, 366, 368, 387, 391, 394, 395, 406, 424; **18**. 238, 257, 284, 287, 297, 311, 312, 317, 344, 345, 346, 351, 357, 361, 362, 376, 389, 391, 399, 412, 429, 440, 443, 445, 468, 469, 470, 471; **19**. 384, 387, 395, 490, 613, 614, 622, 643, 667, 674, 676, 682, 688, 714, 749, 773, 794, 799, 804, 808, 816, 822, 824, 827, 835; on com. of assem., **18**. 54, 58, 83, 102, 206, 218, 292, 316, 334, 431.
on Rowan S. C., **10**. 280, 432, 592.
petition, **18**. 145, 365, 368.
Sloan, Jno., in militia, **22**. 398.
Sloan, John, juror, **10**. 2, 3.
Sloan, John, juror, **22**. 504, 506.
Sloan, John, land grant to, **4**. 631, 764, 1247.
Sloan, Samuel, army pay, **17**. 249.
in militia, **17**. 1056.
Sloan, Wm., army pay, **17**. 251.
army rank, **16**. 1166.
Sloane (Sloan), John, in conv. 1788, **22**. 2, 6, 25, 27, 29, 35.
Sloane, Robt., pensioner, **22**. 87.
Sloane, Samuel, land grant to, **4**. 616.
Slocom, Jean, sells land, **1**. 561.
Slocom, John, sells land, **1**. 561.
Slocomb (Slocom, Slokum), Anthony, a judge, **1**. 316.
in assem., **1**. 273.
in council, **1**. 254.
signs land patent, **1**. 303.
Slocomb, John, appraiser, **2**. 71.
arrested for not going to war, **2**. 125.
Slocomb, John, legatee and administrator, **2**. 105.
road coms'r, **23**. 222.
vestryman, **2**. 209.
Slocomb, John, a J. P., **3**. 537.
Slocomb, John, land grant to, **4**. 332.
resurvey granted, **4**. 852.
Slocomb, Joseph, road coms'r, **23**. 222.

Slocomb, Samuel, will proved, **2**. 105.
Slocomb's Creek, 23. 92, 93, 98.
Slocum, ——, engages in Culpeper rebellion, **1**. 260.
Slocum, Ezekiel, pensioner, **22**. 86.
Slocum, John, asks help of Va., **1**. 819-820.
Slocum, John, land grant to, **4**. 616.
surrenders patent, **4**. 62.
Slocumb, John, a J. P., **4**. 346.
rights proved, **4**. 615.
Slocumb, Jno., juror, **25**. 190.
Slocumb, Jno., vestryman, **23**. 8.
Sloop, law suit for, **2**. 91.
Sloper, Wm., at Board of Trade meeting, **5**. 805-810, 987-989; **6**. 67-75, 327-330.
on McCulloh's quit rents and salary, **5**. 927-928.
recommends salary for council, **5**. 787-788; suspension of Murray and Rutherford, **5**. 957-958.
to Dobs on charters and representation, **6**. 262-263; on public affairs, **5**. 786-787; **6**. 45-7.
Slore, Frederick, contracts with DeGraffenried for palatines, **1**. 986-90.
Sloss, John, asks pardon for Fruit, **9**. 93-4.
Sloss, Joseph, asks pardon for Fruit, **9**. 93-4.
Slough, Col., transports goods to N. C., **10**. 852, 855.
Slough, David, asks pardon for regulators, **9**. 98-99.
Slover, Wm., takes oath, **22**. 175.
Slow, Samll., juror, **4**. 520.
Slow growth of N. C., reasons, **2**. xi-xiv.
Sluthers, John, army pay, **17**. 251.
Sluys, captured, **17**. 188.
Sly (Slye), Robert, commissioner on tobacco planting, **1**. 117-118, 139-143, 151-153.
Small, ——, 16. 606.
Small, ——, in militia, **22**. 266.
Small, Benj., in militia, **22**. 266.
Small, Benj., land grants to, **4**. 602.
Small, Benjamin, petitions on county bounds, **9**. 633-634.
Small, Henry, in assembly, **17**. 264, 266; **18**. 226.
Small, James, in army, **15**. 732.
Small, Jno., land grant to, **4**. 447, 588.
Small, Jno., pensioner, **22**. 87.
Small, Jos., 16. 606, 607.
Small, Jos., land grant to, **4**. 628.
Small, Jos., quit rents of, **22**. 257.
Small, Josiah, in militia, **22**. 325.
Small, Mathew, administrator, **6**. 1017.
Small, Matthew, land grant to, **4**. 1250.
Small, Wm., land grant to, **4**. 217.
Small and mean causes, act on trial of, **23**. 27-29, 116, 117, 175-7, 336; **25**. 160, 182.
bill for act for trial of, **4**. 97, 99, 100, 108, 137, 140, 141, 142, 155, 560.
notes on act, **3**. 183.
Smallage, Edward, exempted, **4**. 654.
Smallpox, 15. 209.
among Br. and prisoners, **22**. 531; Catawbas, **6**. 710, 1041; Indians, **6**. 219, 224, 235; prisoners, **14**. 692, 787; prisoners at Camden, **15**. 167, 168; prisoners at Charleston, **15**. 62.
and Amer. prisoners, **17**. 625-629.
brought in by negro, **4**. 333-334.
Harnett on, **11**. 741.
in Amer. army in Canada, **10**. 616.
in Boston, **6**. 1200.
in British camp, **15**. 781.
in Charleston, **14**. 572.
in Currituck Co., **14**. 152.
in Halifax, **15**. 444; **22**. 1029; **25**. 398.
in Hillsboro, and spreads, **15**. 448-449.
in Newbern, **13**. 792; **14**. vi, 66, 77, 86, 96, 296, 302; **15**. 443, 600; **24**. 333.
in N. C., **9**. 328; **15**. 782, 783.
in Portsmouth, Va., **15**. 618.
in Salem, **5**. 1154.
inoculation for, **11**. 477, 479; **12**. 82; **15**. 701, 702; at Georgetown, D. C., **13**. 74, 75.
near Halifax, **11**. 486.
raging, **15**. 515; among Catawbas, **5**. xlvii.
spread of, **14**. 678-679.
to be guarded against, **14**. 704.
Smallwood, Elisha, petitions, **19**. 935.
Smallwood, Ignas., land grant to, **4**. 636.
rights proved, **4**. 636.
Smallwood, James, land grant asked, **4**. 708.
Smallwood, John, army pay, **17**. 250.
petition, **21**. 238, 250, 289, 297, 607, 641.
vendue master, **20**. 523, 538; **21**. 70, 91.

Smallwood, Brig. Gen. Wm., **12**. 535, 537, 542; **14**. 386, 409, 417, 423, 435, 436, 439, 444, 445, 450, 452, 453, 458, 460, 463, 471, 481, 482, 483, 490, 586, 594, 661, 693, 762, 781; **15**. 99, 128, 137, 151, 177, 231; **21**. 828; **22**. 128, 132, 528.
aid from, **14**. 395, 397, 398, 404, 405, 407, 410, 412.
aid to, **19**. 996.
appointment ment'd, **14**. 647.
at battle of Germantown, **11**. 643.
at council of war, **15**. 160-161.
board of war to on defeat of tories, &c., **14**. 421, 428; on movements of Br. and salt and militia affairs, **14**. 441-442; on movements of troops, **14**. 417; on provisions, **14**. 429; on provisions and clothing, **14**. 450-451.
Caswell to on Md. debts, **18**. 645.
commands N. C. militia, **14**. 400, 401, 402, 404, 405, 410, 419, 423, 425, 432, 771, 772, 774, 785, 787; **15**. vii; causes trouble, **14**. 425-426, 435.
complains of Polk's failure to supply provisions, **15**. 416.
composition and position of brigade, **12**. 508, 509.
Cornwallis to on prisoners and executions, **14**. 733-4, 743.
exchange of prisoners proposed, **15**. 175.
Gates to on clothing for Md. troops, **14**. 681-2; to on movements of troops, **14**. 580-2.
hastens troops from Md., **16**. iv.
in battle of Camden, **14**. xv, 584, 585.
in N. C., and sends thanks for gratuity to Md. troops, **14**. 382-383.
location, **15**. 173, 306.
movements, **15**. ix, xii, xiii, 117.
on the Yadkin, **15**. 285.
order quoted, **15**. 120.
ordered to make arrests, **13**. 103-104.
position of brigade, **12**. 509.
promoted major general, **14**. 424.
purpose of assem. in appointing him general and thanked, **17**. 662, 670-671, 675, 743-744, 746, 755-756.
quarrels with Steuben, **15**. 174, 185.
recommends pardon of tories, **15**. 151.
reported k. at Camden, **15**. 65.
resolution on, **12**. 54-55, 58.
sick, **14**. 783.
soldiers of to be armed, **15**. 79.
suggests pardon to tories, **14**. 459.
Sumner to on end of his service, **14**. 791; on movements of troops, **14**. 789.
supersedes Caswell, **16**. vi.
takes brig, **13**. 4, 369.
thanked by assembly, **17**. 694, 773-774, 775.
to attack at Germantown, **11**. 784.
to Caswell on Md. claims, **18**. 589.
to command militia, **14**. 383, 389.
to consult with Polk, **14**. 425.
to Cornwallis on exchange of prisoners, **14**. 710.
to Gates on Br. reinforcements, militia, &c., **14**. 743-744; on defeat of tories, **14**. 698-699; on failure of Polk to supply provisions, **14**. 737; on his movements, **14**. 587; on his retreat from Camden, **14**. 569-571; on movement of troops, &c., **14**. 703-705, 764; and tories, &c., **14**. 712-713; on provisions and movement of troops, **14**. 720-721; on retreat of Cornwallis, **14**. 760-761; on winter camp, provisions and prisoners, **14**. 740-743.
to march, **14**. 779, 781, 782.
to Sumner on protection of Catawba River, **14**. 791.
Wade to on provisions, **14**. 758-759.
work of at Charlotte, **15**. vi.
Smallwood, Wm., petitions, **19**. 935.
Smally, Abner, tory officer, **22**. 198.
treats with whigs, **22**. 219.
Smalwood, James, land grant asked, **4**. 454.
Smart, James, petition on separation, **22**. 705-12.
Smart, Jno., army rank, **16**. 1163.
Smart, Jno., in militia, **22**. 374.
Smart, Peter, in militia, **22**. 375.
Smatt, Benj., quit rents of, **22**. 257.
Smaw, ——, in assembly, **17**. 293, 301, 354, 359, 368, 387, 391, 394, 395, 425; on com. of assem., **17**. 278.
Smaw, Capt., **13**. 729.
Smaw, Henry, in assem., **20**. 7, 126, 159, 229, 239, 240, 246, 255, 394, 400, 426.
petition, **21**. 245, 249, 338-339, 355, 434, 609, 682.
resigns as J. P., **21**. 904.
Smaw, John, a J. P., **23**. 992.

in assembly, **19**. 400, 405, 460, 463, 467, 487.
Smeal, John, complaint against about land, **4**. 454.
Smear, Elizabeth, gifts to, **22**. 289.
Smedley, Capt., captures privateers, **13**. 186.
Smelly, John, land grants to, **4**. 709.
Smelser, Jacob, petition on separation, **22**. 705-8.
Smethers. See Smithers.
Smethers, Garet, army rank, **16**. 1162.
Smethweck. See Smithwick.
Smethweck, Luke, petitions for Windsor as C. H., **9**. 804-806.
Smewing, Herrman, receives quit rents, **1**. 403.
Smidick, Edmond, on com. of claims, **22**. 400.
Smidly, Capt., captures privateers, **22**. 758.
Smiler, Jonathan, army pay, **17**. 248.
Smiley. See Smylie.
Smiley, Jas., in militia, **22**. 398.
Smillie, Peter, **21**. 245.
Smisson. See Smithson.
Smisson, Jos., in militia, **22**. 348.
Smiter, Valente, army rank, **16**. 1155.
Smith. See Smyth.
Smith, ——, **11**. 793.
Smith, ——, **16**. 964.
Smith, ——, **16**. 992.
Smith, ——, **24**. 469.
Smith, ——, a prisoner, **11**. 552.
Smith, ——, appointed agent, **6**. 306-307.
assembly refuses to make him agent, **6**. 416.
Dobbs's candidate for agent, **6**. x.
results of his failure to secure appointment as agent, **6**. 304, 306.
Smith, ——, arrests regulators, **10**. 469.
Smith, ——, Bell & Co., **17**. 380.
supply army, **16**. 484, 495.
to Burke on supplies, **16**. 572-574.
Smith, ——, brings letter from Ashe, **10**. 131, 133.
Smith, ——, father of Wm. S., career, **3**. 370.
Smith, ——, furnishes guard to McAden, **5**. 1202.
Smith, ——, jails regulators, **11**. 282.
Smith, ——, Nash to on magazines, &c., **15**. 68.
Smith, ——, pay to, **22**. 499.
Smith, ——, pay to, **22**. 499.
Smith, ——, receives pay for soldiers, **17**. 202.
Smith, ——, to be jailed, **10**. 631.
Smith, —— (tailor), warrant for, **16**. 968.
Smith, Mr., **5**. 1209.
Smith, Mr., **6**. 553.
Smith, Mr., **6**. 780.
Smith, Mr., **6**. 791.
Smith, Mr., **9**. 1068.
Smith, Mr., **13**. 200.
Smith, Mr., **16**. 222.
Smith, Mr., **18**. 570.
Smith, Mr., advises against Br. influence, **22**. 902.
Smith, Mr., bills delivered to, **12**. 264.
Smith, Mr., in assembly, **4**. 652.
Smith, Mr., in assembly, **18**. 807, 808.
Smith, Mr., in assem., **21**. 198, 207, 211, 213, 214, 286, 299, 303, 332, 577, 579, 581, 582, 584, 598, 619, 632, 641, 646, 669, 677, 679, 707.
Smith, Mr., in conv. 1789, **22**. 39.
Smith, Mr., joins Br., **22**. 609.
Smith, Mr., letter to considered, **16**. 338.
Smith, Mr., on com. of assem., **12**. 11.
Smith, Mr., on com. of defense, **22**. 722.
Smith, Mr., resigns from Ft. Johnston, **15**. 319.
Smith, Mrs., runs away to N. C., **1**. 513, 515, 517.
Smith, Mrs., pay to, **22**. 495.
Smith, Mrs, sells wood, **22**. 427.
Smith, Miss, **14**. 804.
Smith, Miss, in captivity, **13**. 205.
Smith, Capt., **1**. 773, 774.
Smith, Capt., **10**. 130.
Smith, Capt., **10**. 943.
Smith, Capt., **14**. 394.
Smith, Capt., asks for orders on salt, **15**. 624.
Smith, Capt., captures Fanning, **22**. 184.
Smith, Capt., needs clothing, **14**. 682.
Smith, Capt., roster of co., **16**. 1012, 1028, 1050, 1064, 1074, 1102, 1111, 1124, 1134, 1144, 1155, 1182.
Smith, Capt., ship master, **13**. 362.
Smith, Col., **20**. 662.
Smith, Col., **22**. 134, 135.
Smith, Col., asks pay for scouts, **22**. 865.
Smith, Col., collects troops, **15**. 612.
Smith, Col., defends Delaware River, **11**. 681.

Smith, Col., fails to make returns, **13**. 55.
Smith, Col., field officers, **12**. 522.
Smith, Col., in Briar Creek battle, **13**. xiii; **14**. 276, 280, 283.
Smith, Col., position of regt. in army, **12**. 508.
Smith, Col., sent to aid of Clark, **5**. 144*d*.
Smith, Col., to forward troops, **13**. 278.
Smith, Dr., board sits at house of, **12**. 481.
Smith, Dr. (Br.), captured, **15**. 386.
Smith, Ensign, dead, **15**. 754, 757.
Smith, Lieut., clothier, **14**. 355.
Smith, Lieut., court martialed, **12**. 485.
Smith, Lieut., prisoner and dies, **15**. 168.
wounded, **15**. 751, and prisoner, **22**. 523.
Smith, Lieut., resigns, **22**. 776.
Smith, Lieut. (of Md.), needs clothing, **14**. 682.
Smith, Lieut. Col., and Briar Creek battle, **14**. 42.
Smith, Lt. Col., on guard, **12**. 527.
Smith, Lt. Col., to superintend embarcation of Br., **16**. 873.
Smith, Maj., **10**. 1028.
Smith, Maj., on Va. boundary survey, **14**. 140.
Smith, Rev. Mr., **4**. 793.
Smith, Serg., released, **8**. 581.
Smith, A. S., movements of, **14**. 711.
Smith, Aaron, army rank, **16**. 1162.
Smith, Aaron, in militia, **22**. 310.
Smith, Aaron, in militia, **22**. 331.
Smith, Aaron, in militia, **22**. 494.
Smith, Aaron, land grant to, **4**. 854, 970.
Smith, Aarron, prisoner, **16**. 673.
Smith, Abraham, petitions on land grants, **9**. 1260-1263; **11**. 250-253.
Smith, Abraham, regulators' entry on causes of, **8**. 237.
Smith, Adam, takes oath, **22**. 172.
Smith, Adam, to Burke on bond, **19**. 929.
tory officer, **22**. 197.
Smith, Aduson, **16**. 542.
Smith, Alexander, court martialed, **12**. 514.
Smith, Alexander, on regulation com., **10**. 1019.
Smith, Alexander, petition, **20**. 147, 333.
Smith, Alexr., will proved, **2**. 82.
Smith, And., in militia, **22**. 311.
Smith, Anderson, fined, **9**. 652.
Smith, Anderson, officer, **22**. 702.
Smith, Anderson, poll inspector, **18**. 230, 244.
Smith, Andrew, allowance to, **22**. 821.
Smith, Andrew, suits brought in behalf of estate of, **10**. 434.
Smith, Archibald, on regulation of Cross Creek, **15**. 209-211.
Smith, Arthur, **9**. 1235.
Smith, Arthur, enlists, **22**. 444.
Smith, Arthur, land grant to, **4**. 630.
Smith, Arthur, recommends Stewart, **7**. 494.
Smith, B., ensign, **10**. 320.
Smith, Barthom., in militia, **22**. 398.
Smith, Basil (Bazil, Bazel, Bazell, Bazzell, Hazell), a J. P., **11**. 710; **23**. 993.
allowance to, **17**. 424, 425; **20**. 115.
and Lovick case, **17**. 639, 643, 649, 665, 671, 723, 749-50.
leave to bring suit, **10**. 462.
paid for summoning members, **5**. 921, 922.
petition, **19**. 139, 249, 251, 338.
to Caswell with resignation as lt. col., **15**. 345.
vendue master, **18**. 174, 189, 397, 420, 450.
Smith, Bassil, in militia, **22**. 392.
Smith, Benjamin, **16**. 984.
act for him to repair bridges and causeway, **24**. 636-7.
and confiscated property, **16**. 936.
bill to allow more time on causeway, **18**. 151, 373; to encourage to build bridge, **19**. 611, 612, 615, 653, 678.
coms'r on pilotage, **25**. 7.
gift to U. N. C., **21**. v, 417, 418, 435, 720.
gives land for light house, **25**. 7, 65.
gets control of island, **22**. 618-19.
in assem., **19**. 516, 518, 522, 536, 559, 578, 605, 608; **21**. 225, 227, 229, 231, 234, 245, 249, 253, 254, 256, 264, 275, 286, 288, 294, 305, 307, 319, 332, 334, 343, 344, 364, 372, 379, 382, 387, 411, 433, 434(?), 435, 595, 598, 612, 614, 737, 738, 766, 770, 783, 784, 788, 818, 844, 871, 873, 876, 882, 883, 897, 901, 909, 912, 913, 916, 920, 927, 929, 930, 936, 937, 939, 940, 941, 946, 947, 950, 953, 958, 965, 970, 980, 983,

985, 992, 999, 1012, 1013, 1015, 1018, 1020, 1021, 1028, 1030, 1032, 1050.
in C. C., **17**. 79, 143, 556, 557, 591; **18**. 548, 552, 557, 640, 641, 671, 709, 726, 754; **19**. 465, 582, 623, 637, 809.
in conv. 1788, **22**. 13, 25, 26, 27, 30, 34.
in conv. 1789, **22**. 36, 47, 48, 50.
letter of ment'd, **18**. 386.
memorial, **21**. 334, 383, 385, 666, 693.
offers to buy Oak Park and other property, **16**. 982-983, 985.
quoted, **21**. 565.
recommended for colonel, **21**. 358.
reports on money, **18**. 165.
suffers from flood, **17**. 168.
thanked by U. N. C. for gift, **22**. 802-3.
trustee U. N. C., **25**. 22.
Smith, Benjamin, army pay, **17**. 247.
Smith, Benjamin, army pay, **17**. 249.
Smith, Benj., army rank, **16**. 1154.
Smith, Benj., army rank, **16**. 1159.
Smith, Benj., army rank, **16**. 1159.
Smith, Benj., army rank, **16**. 1163.
Smith, Benj., in army, **13**. 510.
Smith, Benj., in army, **15**. 730.
Smith, Benj., in militia, **22**. 428.
Smith, Benj., pensioner, **22**. 85.
Smith, Benj., petitions on roads and ferries, **5**. 164-166.
Smith, Benjamin, regulator, **8**. 79.
Smith, Bowling, Burke to with orders, **16**. 501.
Smith, Brazilla, seizes the Joseph, **10**. 996-997.
Smith, Brien, in army, **13**. 522.
Smith, Burrell, army rank, **16**. 1165.
Smith, Burrill, killed, **22**. 127.
Smith, Bryant, army rank, **16**. 1159.
Smith, Rev. C. Z. H., **8**. 781.
Smith, Caleb, army pay, **17**. 246.
army rank, **13**. 510; **16**. 1153.
Smith, Cam, prisoner, **15**. 169.
Smith, Cæsar, imprisoned, **22**. 865.
Smith, Chas., army pay, **17**. 248.
army rank, **16**. 1160.
Smith, Chas., co. coms'r, **25**. 14.
Smith, Charles, exempted, **9**. 145.
Smith, Charles, in militia, **22**. 319.
Smith, Charles, land grant to, **4**. 353.
Smith, Charles, land to, **25**. 112.
Smith, Charles, land to be resurveyed, **6**. 760-761.
land warrant to, **6**. 761.
Smith, Charles, on com. of regulators, **7**. 731-732.
Smith, Charles, pensioner, **22**. 84.
Smith, Charles, regulator, **8**. 79.
Smith, Chas., Jr., juror, **25**. 190.
Smith, Charles J., missionary, **5**. 1218.
Smith, Christopher, **2**. 868.
Smith, Clem, army rank, **16**. 1155.
Smith, Clement, in army, **15**. 718.
Smith, Dan., quit rents of, **22**. 254.
Smith, Daniel, **7**. 773.
Smith, Daniel, **21**. 351, 434.
allowance to for Indian presents, **21**. 399, 709.
brig. gen., **20**. 565, 568; **21**. 123, 127.
coms'r on boundary and building, **24**. 827; on school, **24**. 751; on town, **24**. 616.
in conv. 1788, **22**. 3.
in conv. 1789, **22**. 38, 47, 48.
on Va. boundary survey, **14**. 354.
Robertson to on Indian depredations, **22**. 790-1.
to Johnston on Indian outrages, and answer, **21**. 558-9, 561-2.
Smith, Daniel, grand juror, **2**. 98.
Smith, Daniel, indicted as regulator, **8**. 531, 532.
regulator, **7**. 734.
Smith, Danl., pensioner, **22**. 86.
Smith, Daniel, petitions on land grants, **9**. 1260-1263; **11**. 250-253.
Smith, David, **5**. 1209.
Smith, David, a J. P., **23**. 993.
Smith, David, army rank, **16**. 1156.
Smith, David, army rank, **18**. 1166.
Smith, David, asks pardon for Hunter, **9**. 86.
Smith, David, asks pardon for Hamilton, **9**. 39, 84-5.
Smith, David, captain, **10**. 320.
Caswell to on proposed salt raid, **11**. 533-4.
colonel of Cumberland co., **13**. 574, 616, 617, 732.
expenses of paid, **10**. 641.
in assembly, **12**. 144, 212; **17**. 264, 266, 293, 354, 359, 364, 365, 366, 368, 396, 406, 424, 715, 755, 877, 878, 907, 936, 947, 948, 953, 963; **19**. 391.
in Prov. Cong., **10**. 165, 168, 172, 500, 523.
lieut. col., **10**. 568.
on com. of assem., **17**. 637, 638, 655, 660, 676, 686, 705, 721, 722, 736, 739, 757, 767, 784, 812, 818, 826, 831, 840, 841, 843, 851, 852, 854, 861, 895, 904, 914, 915, 921, 922,

932, 933, 935, 946, 948, 949, 961.
on com. of Prov. Cong., **10**. 168, 504.
on Rowan S. C., **10**. 297, 309.
produces Beck before S. C., **10**. 316.
recruiting commissioner, **12**. 72; **22**. 928.
reports on tories in Cumberland, **11**. xviii.
resigns as colonel of militia, **12**. 742, 860; **13**. 403.
sells hogs, **14**. 8.
surety for Beck, **10**. 311.
to assembly on use of militia, **13**. 389-390.
to Caswell on tories and salt, **11**. 548-9; on tories in Cumberland, **11**. 534-535.
to read Declaration, **10**. 694-5.
to value tory estates, **10**. 643.
to Winslow on disarming tories, **11**. 540-541.
witness, **11**. 346.
Smith, David, claim allowed, **5**. 984.
Smith, David, in army, **13**. 504.
Smith, David, in army, **13**. 529.
Smith, David, juror, **22**. 509.
Smith, David, land grant to, **4**. 767, 803, 890, 891, 962, 1032, 1034-5, 1241.
Smith, David, major, **10**. 531.
Smith, David, payment by company of, **10**. 319.
Smith, David, regulator, **7**. 733.
Smith, David, regulator, **8**. 79.
Smith, David, town coms'r, **24**. 182.
Smith, David, tried for counterfeiting, **10**. 749.
Smith, David, trustee, **24**. 929.
Smith, David, Jr., petition on catching fish, **9**. 87-8.
Smith, Deborah, bill to vest lands in, **8**. 297, 335.
ferriage allowed to, **12**. 231.
payment to be made to, **12**. 421-422.
Smith, Drew, army rank, **16**. 1157.
Smith, Drew, juror, **4**. 523.
land grants to, **4**. 590.
Smith, Drewry, army rank, **16**. 1166.
Smith, Drewry, to borrow salt, **22**. 561.
Smith, Drury, to superintend fisheries, **15**. 625.
Smith, Ebenezer, army pay, **17**. 248.
Smith, Edward, a J. P., **3**. 418; **4**. 4.
Smith, Edward, court at house of, **24**. 28.
Smith, Edward, exempted, **8**. 313.
Smith, Edward, land grant to heirs, **4**. 218.
Smith, Edwd., pensioner, **22**. 86.
Smith, Edward, regulator, **8**. 79.
excluded from pardon as regulator, **8**. 613, 618.
Smith, Edward, road leads to house of, **24**. 135.
Smith, Elias, army rank, **16**. 1160.
Smith, Eliza, **2**. 485.
Smith, Elizabeth, legatee and administrator, **2**. 105.
Smith, Ezl., army rank, **16**. 1166.
Smith, Ezekiel, road commissioner, **12**. 227; **24**. 135.
Smith, Faithy, asks pension for services of John Smith, **9**. 54, 55.
pensioned, **9**. 130, 131, 199, 200, 214, 220.
Smith, Flan Arthur, land grant to, **4**. 348.
Smith, Francis, asks for lapsed land, **2**. 356.
Smith, Francis, regulator, **8**. 78.
Smith, Francis, witness, **10**. 931, 957.
Smith, Frederick, in army, **13**. 504.
Smith, Frederick, tory officer, **22**. 196, 197.
tried, **19**. 668.
Smith, Gasper (Jasper), memorial and report on same, **21**. 136.
pay to, **22**. 1014.
petition, **20**. 496, 577; **21**. 25, 32, 234, 368, 592-3, 595, 596, 690, 694.
Smith, George, **2**. 488.
Smith, Geo., army rank, **16**. 1152.
Smith, George, claims allowed, **6**. 212.
commissary for Indians, **5**. 835, 853, 854.
coms'r on building, **25**. 286.
enters caveat, **6**. 761.
Smith, George, in army, **15**. 732.
Smith, Geo., in militia, **22**. 311.
Smith, George, juror, **25**. 188.
Smith, George, land lapses, **2**. 239.
Smith, George, land grant to, **4**. 447, 588, 595, 766.
Smith, Geo., legislative fight over, **5**. 48, 69.
Smith, George, stops survey, **5**. 494.
Smith, Geo., petition on separation, **22**. 705-14.
Smith, George, reënlists, **15**. 750.
Smith, George, taxable, **15**. 192.
Smith, Geo., transports prisoners, **22**. 268.
Smith, George, voter, **15**. 237.

Smith, Geo., woodworker, **15**. 477.
Smith, Gide, petitions on land grants, **9**. 1260-3.
Smith, Gide, petitions on land grants, **9**. 1260-1263; **11**. 250-253.
Smith, Glen, wounded and prisoner, **22**. 523.
Smith, Gulielmus, boundary coms'r, **24**. 866.
Smith, Guy, takes oath, **22**. 172.
Smith, Hannah, **8**. xl.
Smith, Harry, in militia, **22**. 319.
Smith, Harry, in militia, **22**. 415.
Smith, Henry, **21**. 690.
Smith, Henry, act for town on lands of, **24**. 609-11.
Smith, Henry, army rank, **16**. 1152.
Smith, Henry, army rank, **16**. 1160.
Smith, Henry, army rank, **16**. 1162.
Smith, Henry, army rank, **16**. 1166.
Smith, Henry, exempted, **5**. 527.
Smith, Henry, in army, **15**. 727.
Smith, Hen., in militia, **22**. 310.
Smith, Henry, in militia, **22**. 331.
Smith, Henry, in militia, **22**. 421.
Smith, Hen., juror, **25**. 189.
Smith, Henry, land grant asked, **4**. 707; grant to, **4**. 335, 851, 885.
right vested in, **3**. 40, 41, 42, 43, 44-45.
rights proved, **4**. 705.
Smith, Henry, pensioner, **22**. 85.
Smith, Henry, petitions on land grants, **9**. 1260-3; **11**. 250-3.
Smith, Henry, regulator, **7**. 734.
Smith, Henry, sells shares of C., **4**. 655, 656, 657; **11**. 88-91.
Smith, Henry, takes oath, **22**. 170.
Smith, Henry, & Allen, **22**. 632.
Smith, Henry, Sr., land grant to, **4**. 803.
Smith, Hezekiah, in militia, **22**. 319.
Smith, Hugh, exempted, **8**. 453.
Smith, Hugh, on surrender of Burgoyne, **11**. 653.
Smith, Hugh, visited by Fox, **1**. 217, 218.
Smith, Humphrey, defaced bill redeemed for, **3**. 596.
Smith, I., quit rents of, **22**. 254.
Smith, Isaac, **9**. 1233.
Smith, Isaac, army rank, **16**. 1163.
Smith, Isaac, justice, **17**. 598.
Smith, Isaac, pensioner, **22**. 86.
Smith, Isaac, tried, **19**. 668.
Smith, J., in assembly, **13**. 883.
Smith, J., petition on C. H., **9**. 806-9.
Smith, Jabel, in militia, **22**. 42.
Smith, Jacob, army rank, **16**. 1164.
Smith, Jacob, army rank, **16**. 1166.
Smith, Jacob, in militia, **17**. 1054.
Smith, Jaly, army rank, **16**. 1155.
Smith, James, a J. P., **6**. 340.
church commissioner, **2**. 874.
juror, **2**. 657; **3**. 54, 55; **4**. 525.
land grant to, **4**. 277, 591, 629, 641, 703, 707, 708, 1244.
patents land, **6**. 1081.
rights proved, **4**. 1244.
Smith, James, a J. P., **8**. 149.
Smith, James, allowance to, **22**. 820, 842.
Smith, James, army pay, **17**. 246.
Smith, James, army pay, **17**. 247.
Smith, James, army pay, **17**. 250.
Smith, Jas., army rank, **16**. 1159.
Smith, Jas., army rank, **16**. 1161.
Smith, Jas., army rank, **16**. 1161.
Smith, James, army rank, **16**. 1161.
Smith, James, army rank, **16**. 1165.
Smith, Jas., army rank, **16**. 1165.
Smith, Jas., army rank, **16**. 1167.
Smith, James, asks pardon for Fruit, **9**. 93-94.
Smith, James, bill for ferry at plantation of, **8**. 301, 330, 343, 345, 349, 353, 391, 394, 404; **9**. 398, 416, 498.
buys skins and leather, **13**. 79.
captain, **10**. 309.
Caswell to on clothing for troops, **13**. 80, 81.
coms'r on clothing, **22**. 1011.
elected lieut., **12**. 636, 638, 743, 744.
fined, **9**. 652.
in assembly, **12**. 265, 368, 380, 399, 408.
in Prov. Cong., **10**. 166, 167, 172, 915, 916, 960.
on Cherokee campaign, **10**. 665-666.
on Rowan S. C., **10**. 252, 279, 280, 281, 282, 309, 310, 432, 434.
on Rowan com. of secrecy, &c., **10**. 312, 592.
referee on fees, **8**. 521, 535.
resigns as major, **13**. 734*o*; **14**. 6.
to bring suits, **10**. 434.
to pay money to public, **12**. 814, 815, 876-877.
witness, **10**. 606.
Smith, James, case dismissed, **2**. 602.
defaulter, **2**. 912, 913.
Smith, James, in army, **15**. 722.
Smith, James, in assembly, **19**. 372, 374.

Smith, Jas., in militia, **22**. 346.
Smith, Jas., in militia, **22**. 357.
Smith, Jas., in militia, **22**. 379.
Smith, Jas., in militia, **22**. 392.
Smith, Jas., in militia, **22**. 392.
Smith, Jas., in militia, **22**. 451.
Smith, James, juror, **22**. 501, 502, 503, 505, 507, 508, 510.
Smith, James, juror, **25**. 186.
Smith, James, juror, **25**. 186.
Smith, James, major, **10**. 532.
Smith, James, murdered, **18**. 107.
Smith, James, on confiscation act, **15**. 203-205.
Smith, James, payment by company of, **10**. 319.
Smith, James, petition for repeal of tax on free negroes, **6**. 982-983.
Smith, James, petition on land grants, **9**. 1260-3; **11**. 250-3.
Smith, James, petition on separation, **22**. 705-12.
Smith, James, petition on separation, **22**. 705-12.
Smith, James, quit rents of, **22**. 245.
Smith, Jas., quit rents of, **22**. 250.
Smith, Jas., quit rents of, **22**. 254.
Smith, Jas., quit rents of, **22**. 254.
Smith, James, quit rents of, **22**. 260.
Smith, James, reënlists, **15**. 749.
Smith, James, report of com. on petition of, **17**. 120, 122.
Smith, James, sells horse, **15**. 631.
Smith, James, takes oath, **22**. 172.
Smith, James, to assembly on use of militia, **13**. 389-90.
Smith, James, Watauga to be annexed, **10**. 708-10.
Smith, Janet, **5**. 1195.
Smith, Jeptha, army pay, **17**. 248.
Smith, Jere., army rank, **16**. 1153.
Smith, Jereh., army rank, **16**. 1164.
Smith, Jeremiah, in army, **13**. 524.
Smith, Jeremiah, land grant to, **4**. 1248.
Smith, Jeremiah, witness, **4**. 1252.
Smith, Jeremiah, petition on separation, **22**. 705-10.
Smith, Jesse, certificate to, **18**. 247.
Smith, Joab, army rank, **16**. 1164.
Smith, Job, army rank, **16**. 1157.
Smith, Job, deposition ment'd, **22**. 9.
Smith, Job, drafted Quaker, **13**. 275.
Smith, John, **5**. 1205.
Smith, John, **10**. 129.
Smith, John, **16**. 605.
Smith, John, **10**. 683.
Smith, John, **23**. 910.
Smith, John, a J. P., **4**. 346, 354; **6**. 1070.
caveat against, **6**. 1078.
house and property destroyed by storm, **8**. 73.
in assembly, **4**. 737, 819, 827, 828; **7**. 303, 343, 350, 363, 391, 568, 624, 645, 651, 656; **8**. 103, 106, 107, 137, 146, 291, 293, 303, 315, 326, 331, 353, 354, 401, 404, 405, 408, 455.
land grant to, **4**. 762, 764, 803-4, 851, 950, 952, 962, 965, 1047, 1049, 1244, 1249, 1250; to be resurveyed, **6**. 760-1.
on com. of assem., **4**. 977; **7**. 571; **8**. 111, 118, 309.
petitions on roads and ferries, **5**. 164-166.
witness, **5**. 423.
Smith, John, a J. P., **23**. 992.
Smith, John, a J. P., **23**. 994.
act for town on lands of and trustee, **24**. 21-2, 334.
bill to establish town on lands of, **12**. 35, 41, 43, 47, 48, 112.
Caswell to on removing and paroling prisoners, **14**. 20.
commissioner on exports, **10**. 473-474.
com. on claims to sit at house of, **13**. 739-740, 790, 791.
conducts prisoners to Va. and Halifax, **14**. 415, 416.
dropped as a J. P., **9**. 293.
helps arrest Brimage, **11**. 556.
in assembly, **9**. 426, 441, 448, 521, 568, 588, 728, 734, 741, 777, 778.
in Prov. Cong., **10**. 165, 168, 172.
prisoners sent to, **14**. 112.
Provincial Congress held at house of, **10**. 696.
recommended as commissioner for the King Tammany, **11**. 531.
to Caswell on Hanna and Macteer, **11**. 756; on prisoners taking oath, and answer, **14**. 200, 203.
to report on prisoners in Johnston Co., **14**. 169.
to value houses, **10**. 337.
witness, **10**. 931.
Smith, John, appraiser, **2**. 105.
Smith, John, army pay, **17**. 246.
Smith, John, army pay, **17**. 246.
Smith, John, army pay, **17**. 250.
Smith, John, army pay, **17**. 250.
Smith, Jno., army rank, **16**. 1153.

Smith, Jno., army rank, **16**. 1155.
Smith, John, army rank, **16**. 1156.
Smith, Jno., army rank, **16**. 1157.
Smith, Jno., army rank, **16**. 1159.
Smith, Jno., army rank, **16**. 1159.
Smith, Jno., army rank, **16**. 1161.
Smith, Jno., army rank, **16**. 1162.
Smith, Jno., army rank, **16**. 1165.
Smith, Jno., army rank, **16**. 1165.
Smith, Jno., army rank, **16**. 1166.
Smith, John, arrested for counterfeits, **10**. 692.
loyalist, **10**. 597.
petition of on bond considered, **12**. 292; to be released from prison, **10**. 888-9, 890, 900-1, 936.
returns from Pa., **11**. 607.
sent to Phila., **11**. 295.
Wade on case of, **11**. 664.
Smith, John, asks for new county, **9**. 89.
Smith, John, asks relief from church tax, **9**. 95-96.
Smith, John, assault and murder at house of, **2**. 907.
Smith, John, bill for executors to collect tax, **20**. 146, 153, 167-168, 334.
Smith, John, boundary coms'r, **23**. 822.
Smith, John, canal coms'r, **23**. 685.
Smith, John, claims, **4**. 808.
Smith, John, claims, **9**. 489.
Smith, John, claims allowed, **8**. 99, 127, 128, 129, 132.
Smith, John, clerk of council, **5**. 660, 683, 688, 805, 835, 836, 837, 839, 841, 843, 889, 975, 986, 1039, 1100; **6**. 40, 95, 103, 184, 215, 362, 427; **22**. 818, 823.
Smith, John, court to be held at house of, **23**. 820, 821.
Smith, John, ensign, **10**. 945.
Smith, John, examined on boundary, **1**. 742.
Smith, John, fine remitted, **21**. 1022-1023, 1031.
Smith, John, History quoted, **1**. 5.
Smith, John, imported, **1**. 395.
Smith, John, in army, **13**. 507.
Smith, John, in army, **13**. 513.
Smith, John, in army, **13**. 524.
Smith, John, in army, **13**. 528.
Smith, John, in army, **15**. 728.
Smith, John, in assembly in 1746, **4**. 1175.
on com. to examine and compare revisal, **4**. 977, 991.
reports on grievances, **4**. 744-746.
Smith, John, in assembly, **4**. 838, 902.
Smith, John, in assembly, **4**. 984; **5**. 156.
Smith, John, in militia, **17**. 1056.
Smith, Jno., in militia, **17**. 1057.
Smith, John, in militia, **17**. 1060.
Smith, John, in militia, **22**. 162.
Smith, Jno., in militia, **22**. 283.
Smith, Jno., in militia, **22**. 310.
Smith, Jno., in militia, **22**. 323.
Smith, John, in militia, **22**. 331.
Smith, John, in militia, **22**. 348.
Smith, Jno., in militia, **22**. 357.
Smith, John, in militia, **22**. 370.
Smith, Jno., in militia, **22**. 371.
Smith, Jno., in militia, **22**. 375.
Smith, Jno., in militia, **22**. 379.
Smith, Jno., in militia, **22**. 392.
Smith, John, in militia, **22**. 393.
Smith, John, in Va. council, **1**. 746.
Smith, John, killed in regulation war, **9**. 54, 55.
Smith, John, land grant asked, **4**. 707.
Smith, John, land grant to, **4**. 219, 354, 590, 628, 629, 675, 684, 707, 854, 949-50.
Smith, John, land lapses, **2**. 426, 429.
Smith, John, law suit, **2**. 91.
Smith, John, law suit, **4**. 51-52.
Smith, John, lives on Neuse, **22**. 449.
Smith, John, loses farm, **3**. 364.
Smith, John, major and lieut. colonel, **10**. 206, 531.
Smith, John, memorial on school, **7**. 35-36.
Smith, John, on regulation of Cross Creek, **15**. 209-211.
Smith, John, pauper, **6**. 212, 214.
Smith, Jno., pensioner, **22**. 86.
Smith, John, petition, **18**. 116, 183, 334, 342, 407, 475; **21**. 848.
Smith, John, petition for division of Orange Co., **9**. 809.
Smith, John, petition for division of Orange Co., **9**. 809-810.
Smith, John, petition on catching fish, **9**. 87-88.
Smith, Jno., petition on C. H., **9**. 806-8.
Smith, John, petition on land grants, **9**. 1260-1263.
Smith, John, petition on land grants, **9**. 1260-1263; **11**. 250-253.
Smith, John, petition on who are tithables, **9**. 97.
Smith, John, port coms'r, **23**. 667, 827.
Smith, John, power of attorney proved, **2**. 112.

Smith, John, prisoner, **22**. 924.
Smith, John, receives clothing, **16**. 619.
Smith, John, regulator, **7**. 734.
Smith, John, regulator, **7**. 735.
Smith, John, regulator, **8**. 79.
Smith, John, resurvey granted to, **4**. 852.
Smith, John, rights proved, **4**. 636, 705.
Smith, John, road coms'r, **23**. 222.
Smith, John, Scotch settler, **5**. 1195.
Smith, John, sells land, **2**. 330.
Smith, John, slave imprisoned, **22**. 865.
Smith, John, takes oath, **22**. 172.
Smith, John, taxable, **15**. 192.
Smith, John, to care for Br. prisoners, **22**. 952.
Smith, John, town coms'r and treasurer, **25**. 229.
Smith, John, vestryman, **2**. 209; **23**. 8.
Smith, John, vestryman, **23**. 249.
Smith, John, voter, **15**. 237.
Smith, John, warrant to, **8**. 707, 709.
Smith, John, witness, **18**. 252.
Smith, John, (Hyde), contests election in Hyde Co., **9**. 495.
ordered to march militia against regulators, **8**. 702-3.
Smith, John, (Johnston), a J. P., **4**. 814, 1038.
on com. of cor. for Johnston Co., **9**. 1032.
to procure arms, **10**. 525.
Smith, John, (New Hanover), ensign, **10**. 626.
on S. C. of Wilmington dist., **10**. 215.
Smith, John, (Pitt), on S. C. Pitt Co., **10**. 38, 62.
patroler, **10**. 63.
Smith, John, Jr., a J. P., **4**. 712.
Smith, John, Jr., a J. P., **4**. 813.
Smith, Jno., Jr., army rank, **16**. 1153.
Smith, Jno., Jr., building coms'r, **23**. 821.
Smith, John, Jr., land grants to, **4**. 635, 803.
Smith, John, Jr., petitions for division of Orange Co., **9**. 809.
Smith, John, Jr., road coms'r, **23**. 222.
Smith, John, Sr., a J. P., **4**. 712.
Smith, John, Sr., a J. P., **4**. 813.
Smith, Jno., Sr., army rank, **16**. 1153.
Smith, John, Sr., land grant to, **4**. 649.
Smith, John, Sr., road coms'r, **23**. 222.
Smith, Jonas, pay to, **18**. 540.
Smith, Jonathan, in militia, **9**. 1077.
Smith, Jonathan, in militia, **22**. 359.
Smith, Jonathan, Sr., pensioner, **22**. 85.
Smith, Joseph, appraiser, **1**. 613.
law suit, **1**. 482.
road overseer, **1**. 534.
witness, **1**. 551, 605.
Smith, Joseph, army pay, **17**. 248.
Smith, Joseph, army pay, **17**. 251.
army rank, **16**. 1152.
Smith, Jos., building coms'r, **24**. 455.
Smith, Jos., goods impressed, **15**. 524.
Smith, Joseph, in army, **15**. 731.
Smith, Jos., in militia, **22**. 398.
Smith, Joseph, in militia, **22**. 416.
Smith, Jos., indicted and fined, **22**. 512, 513.
Smith, Joseph, juror, **4**. 524.
Smith, Joseph, paroled, **10**. 634.
takes oath to N. C., **10**. 701; to U. S. A., **10**. 743.
Smith, Joseph, petition on separation, **22**. 705-12.
Smith, Jos., reports on Br. damage, **17**. 952.
Smith, Joseph, surety, **6**. 981.
Smith, Jos., to Burke on commerce, **22**. 578-9.
Smith, Joseph, tried, **2**. 591, 593-4, 595.
Smith, Joseph, vestryman, **23**. 499.
Smith, Joseph, and brothers, indicted, **22**. 512.
Smith, Josh., army rank, **16**. 1167.
Smith, Joshua, boundary coms'r, **24**. 745.
Smith, Josiah, army pay, **17**. 250.
prisoner, **15**. 392.
Smith, Lawrence, land grant to, **4**. 590.
Smith, Lemuel, navigation coms'r, **25**. 107.
Smith, Lewis, pensioner, **22**. 84.
Smith, Louis, pensioner, **22**. 85.
Smith, Malachi, army rank, **16**. 1157.
Smith, Malachi, army rank, **16**. 1163.
Smith, Malcolm, **5**. 1195.
land grant to, **4**. 945, 964.
law suit over land, **4**. 947-948.
resurvey granted to, **4**. 890.
Scotch elder, **5**. 1197.
surrenders patent, **6**. 765-766.
Smith, Malcomb, in militia, **22**. 384.
Smith, Matt., witness to treaty, **18**. 515.
Smith, Melancthon, in C. C. (N. Y.), **20**. 603, 632.
Smith, Merewether, coms'r on trade, &c., **18**. 542-543.

Smith, Michl., army rank, **16**. 1196.
Smith, Michael, becomes chaplain on man of war, **6**. 710.
character defended, **6**. 312-313.
memorial of church wardens, **6**. 58-60.
sermon ordered printed, **5**. 696.
thanked for sermon, **5**. 665, 696.
to S. P. G. on church affairs, **5**. 961-962.
work ment'd, **6**. 222.
Smith, Michal, in militia, **22**. 357.
Smith, Mitchell, army pay, **17**. 247.
in army, **15**. 735.
Smith, Moses, indicted as regulator, **8**. 531.
Smith, Nath., in militia, **22**. 343.
Smith, Nath., in militia, **22**. 379.
Smith, Nathan, asks resurvey, **4**. 806.
change in land grant asked, **4**. 970.
land grant to, **4**. 884, 895.
surrenders land, **4**. 1040.
Smith, Nathan, buys at Martin's sale, **22**. 888.
Smith, Nathan, claim considered, **17**. 402.
memorial on tobacco, **18**. 60-1.
petition, **18**. 291; **20**. 93.
Smith, Nathaniel, land grant to, **4**. 804.
Smith, Nehemiah, army pay, **17**. 250.
Smith, Nehemiah, army pay, **17**. 251.
army rank, **16**. 1160.
Smith, Nicholas, land lapses, **2**. 642.
land grant to, **4**. 590, 803, 894, 968, 1242.
Smith, Oliver, juror, **25**. 190.
Smith, Owen, army rank, **16**. 1152.
Smith, Patrick, **22**. 302.
Smith, Patrick, land grant to by McCulloh, **15**. 201.
Smith, Peter, army rank, **16**. 1165.
Smith, Peter, army rank, **16**. 1165.
Smith, Peter, army rank, **16**. 1166.
Smith, Peter, in militia, **17**. 1042.
Smith, Peter, in militia, **17**. 1058.
Smith, Peter, in militia, **22**. 384.
pay to, **22**. 495.
Smith, Peter, pensioner, **22**. 84.
Smith, Peter, petitions on need of money, **7**. 866-867.
Smith, Peter, regulator, **7**. 737.
Smith, Philip, prisoner, **15**. 393.
Smith, Platt, army rank, **16**. 1160.
Smith, Redick, army rank, **16**. 1153.
Smith, Regden, land grant to, **4**. 768.
Smith, Reuben, **22**. 1012.
Smith, Reuben, army rank, **16**. 1167.
clothing for, **15**. 494.
pensioner, **22**. 87.
Smith, Reuben, petitions for division of Orange Co., **9**. 809-810.
Smith, Richd., army rank, **16**. 1162.
Smith, Richd., army rank, **16**. 1164.
Smith, Richd., army rank, **16**. 1165.
Smith, Richard, army rank, **16**. 1165.
Smith, Richard, bill for bridge, **19**. 424, 751, 791.
Smith, Richard, in assembly of 1697, **3**. 453.
Smith, Richard, juror, **1**. 392.
Smith, Richard, juror, **2**. 104.
to be arrested, **2**. 124, 149.
lapse patent to, **2**. 642.
Smith, Richard, co. coms'r, **24**. 151.
Smith, Richard, gives mortgage and is executed for burglary, **4**. 1125-1126.
Smith, Richard, in militia, **22**. 327.
Smith, Richard, in militia, **22**. 416.
Smith, Rich'd, in militia, **22**. 428.
Smith, Rich'd, in militia, **22**. 428.
Smith, Richard, land grant to, **4**. 953.
Smith, Richard, pensioner, **22**. 85.
Smith, Richard, regulator, **7**. 734.
Smith, Richard, regulator, **7**. 735.
Smith, Rob., petitions on county bounds, **9**. 633-635.
Smith, Robert, **10**. 85, 86, 316, 822; **22**. 754.
administration to, **6**. 1009, 1010, 1011.
agent for U. S., **22**. 923.
Caswell to on distribution of guns, **13**. 311; on lottery tickets, **13**. 101; on movement of tories and troops, **11**. 538.
charters the King Tammany, **11**. 674.
commissioner on Boritz (Barrity) case, **17**. 775; on capital, **13**. 752; **18**. 804; on navigation, **24**. 125, 403; on Roanoke, **24**. 390; on town, **24**. 152; to get arms and clothes, **12**. 420, 422, 426.
com. on complaints of in case of brig Joseph, **10**. 973, 996-997.
delivers arms to Lamb, **13**. 300, 301, 302, 309; lottery tickets, **13**. 110, 111.
fair judge, **24**. 284.
goods impressed, **15**. 524.
in assembly, **13**. 785, 799, 812, 813, 824, 913, 925, 975, 980, 982, 983, 988, 990, 999; **17**. 886, 907, 948,

953, 963; **19**. 382, 384, 386, 387, 389, 392; on com. of assem., **13**. 762, 769, 770, 804, 820, 830, 831, 832, 834, 838, 869, 916 920, 921, 923, 924, 928, 959.
on gov't tobacco, **19**. 873.
on S. C. of Edenton, **9**. 1134, 1135, 1236.
paymaster, **10**. 352.
payment to for troops, **10**. 360.
pays troops, **15**. 686.
petition, **21**. 228-229.
protests against confiscation act, **13**. 991-992.
resigns as lieut., **10**. 292.
takes deposition, **9**. 322.
to arm vessels, **10**. 352.
to Burke on commerce, **22**. 578-9; on impressments, **22**. 592; on impressment of tobacco, **22**. 556-7.
to buy provisions for public, **10**. 471.
to Caswell on cannon, **13**. 324-325, 326; on disposition of arms and ammunition, and answer, **13**. 300-301, 307-308; on guard for jail and magazine in Edenton, **11**. 637-638; on privateers and cannon, **13**. 291-292; on public affairs, **13**. 84; on the General Gates and Lord Chatham, **13**. 325; on the King Tammany, **11**. 734-735; on tories, courts, Millan and Gelatly, **11**. 551-554; on voyage of the King Tammany, and answer, **11**. 525-6, 531, 537-538, 551, 570-571.
to consult with Caswell on shipping clothing north, **13**. 17.
to council of safety on cruise of the King Tammany, **10**. 848-849.
to deliver cannon to militia, **13**. 901; guns to Easton, **13**. 312.
to fit out vessels, **12**. 237, 244-245.
to forward letter, **11**. 262.
to Harnett on exports, **22**. 748-9.
to Nash on Br. invasion of Va. and N. C., **15**. 129-130; on flag of truce for Bogg, **15**. 129.
to receive wagons, **13**. 114, 121.
trades to W. I., **10**. 691.
vessel captured, **15**. 469.
Smith, Robert, **22**. 632.
Smith, Robt., a J. P., **23**. 993.
Smith, Robert, army rank, **16**. 1155.
Smith, Robert, captain, **10**. 518, 520.
Smith, Robert, colonel, **19**. 963, 965, 966; **22**. 125, 126.
colonel for Salisbury Dist., **21**. 784, 787, 943, 946.
Smith, Robt., in militia, **22**. 378.
Smith, Robert, in militia, **22**. 412.
Smith, Robt., in militia, **22**. 473.
Smith, Robert, lieut., **10**. 187.
Smith, Robert, petition for division of Orange Co., **9**. 809-810.
Smith, Robert, petition on separation, **22**. 705-10.
Smith, Robert, prisoner, **16**. 674.
Smith, Robert, regulator, **8**. 79.
Smith, Robert, sells land, **1**. 493.
Smith, Robert, will proved, **1**. 386.
Smith, Maj. Gen. Robert, commissioner on tobacco planting, **1**. 141-143, 152-153.
Smith, Roger, in militia, **22**. 382.
Smith, Roger, petition, **19**. 172, 174, 180, 192, 195, 290, 305, 321.
Smith, S., petition, **21**. 1005, 1007.
Smith, Samuel, **20**. 647.
Smith, Samuel, **23**. 480.
Smith, Samuel, **5**. 1214.
a J. P., **4**. 814, 1038; **6**. 342.
appointed agent by council, **6**. 77.
bill to draw on money in hands of, **6**. 1103, 1111, 1136, 1137, 1141, 1144, 1146-8, 1172, 1174, 1185, 1207, 1213, 1214, 1215, 1216, 1217.
bills to be drawn on, **6**. 885, 887, 890, 940, 941, 959-960, 963.
case considered, **6**. 1248, 1251, 1313, 1315, 1316, 1317.
charges against examined, **6**. 1064-1065.
complaints against as J. P., **6**. 1012.
correspondence with on financial side of Indian Congress, **11**. 206-207.
drawn on for money, **11**. 172.
excused from fine, **8**. 235.
holds land, **4**. 596, 704, 764, 767, 768, 798, 952.
makes irons for criminals, **7**. 120.
moneys in hands of, **7**. 622, 666, 667, 670.
petition against Johnston, **4**. 925-926.
report on parliamentary grant, **6**. 1263, 1277.
report to on Pierce's company, **7**. 262-263.
summoned to council, **6**. 771; **8**. 149.
Smith, Sam'l, a J. P., **23**. 993.
Smith, Sam'l, a J. P., **23**. 994.
Smith, Samuel, administers oath, **22**. 173.
Smith, Saml., army rank, **16**. 1155.

Smith, Saml., army rank, **16**. 1157.
Smith, Saml., army rank, **16**. 1166.
Smith, Sam'l, captured, **22**. 185.
Smith, Samuel, coms'r on building, **24**. 968.
Smith, Samuel, conference at house of, **22**. 674.
Smith, Samuel, court martialed, **12**. 465.
Smith, Samuel, dist. auditor, **24**. 686.
Smith (Smyth), Samuel, dropped as J. P., **9**. 293.
field officer, **12**. 538.
in assembly, **9**. 397, 413, 448, 461, 497, 510, 528, 549, 588.
in Prov. Cong., **9**. 1042, 1049.
on com. of assem., **9**. 451.
on S. C. of Craven, **9**. 1237.
payment to, **13**. 351.
reports on organization of troops in Granville, **13**. 147-148.
resigns as colonel, **13**. 831, 922.
to buy horses, **10**. 535.
to distribute salt, **10**. 690.
Smith, Samuel, ensign, **10**. 559.
Smith, Samuel, ensign, **10**. 625.
Smith, Samuel, in assembly, **13**. 624, 735, 736, 753, 825, 858, 883(?), 894, 898.
Smith, Samuel, in assembly, **19**. 492, 510, 613, 622, 643, 652.
Smith, Samuel, in conv. 1789, **22**. 37, 47, 48.
Smith, Sam., in militia, **22**. 309.
Smith, Samuel, in militia, **22**. 331.
Smith, Samuel, in militia, **22**. 347.
Smith, Sam'l, in militia, **22**. 347.
Smith, Sam'l, in militia, **22**. 349.
Smith, Sam'l, in militia, **22**. 380.
Smith, Sam'l, in militia, **22**. 392.
Smith, Sam'l, in militia, **22**. 428.
Smith, Samuel, juror, **8**. 528.
Smith, Samuel, major, **10**. 207, 531.
Smith, Samuel, militiaman, **7**. 263.
Smith, Samuel, money from, **21**. 1064.
Smith, Samuel, officer, **22**. 701.
Smith, Samuel, on S. C. of Hillsboro Dist., **10**. 215.
Smith, Samuel, owes State, **21**. 1074.
Smith, Sam'l, pensioner, **22**. 85.
Smith, Samuel, petition against marriage act, **9**. 623-625.
Smith, Samuel, prisoner, **17**. 1045.
Smith, Sam'l, resigns as colonel, **19**. 261.
resigns as J. P., **19**. 145.
Smith, Samuel, school trustee, **24**. 297.
Smith, Samuel, settler, **1**. 76.
Smith, Samuel, signs Tryon Asso., **10**. 162-163.
Smith, Samuel, to seize cattle, **14**. 454.
Smith, Samuel, town coms'r, **24**. 857, 878.
Smith, Samuel, vestryman, **23**. 249.
Smith, Samuel, (Hyde), in militia, **9**. 1050.
Smith, Samuel, Jr., in Prov. Cong., **10**. 914.
major and lieut. colonel, **10**. 206, 531.
on com. of cor. for Johnston Co., **9**. 1032.
presides at meeting, **9**. 1031.
town trustee, **24**. 21.
Smith, Samuel, Sr., in Prov. Cong., **9**. 1031; **10**. 165, 500, 523, 571.
on com. of cor. for Johnston Co., **9**. 1032.
Smith, Sara, land grant to, **4**. 221.
Smith, Sihon, pensioner, **22**. 84.
Smith, Simon, army rank, **13**. 526; **16**. 1154.
Smith, Simon, imported, **1**. 394.
Smith, Solomon, criminal, **3**. 282, 319.
tried for felony and murder, **3**. 53, 54-56.
Smith, Solomon, exempted, **6**. 1154*b*.
Smith, Solomon, in militia, **22**. 392.
Smith, Solomon, in militia, **22**. 393.
Smith, Solomon, land grant to, **4**. 329.
Smith, Sol., patent recorded, **6**. 332.
Smith, Stephen, army pay, **17**. 249.
Smith, Stephen, in militia, **22**. 370.
Smith, Stephen, in militia, **22**. 451.
Smith, Steven, army rank, **16**. 1166.
Smith, Thos., **9**. 70.
Smith, Thos., a J. P., **2**. 772; **3**. 244; **4**. 47.
dead, **4**. 240.
in assembly, **3**. 275, 282, 283, 285, 286, 290, 301, 312, 313, 562, 563, 585, 586; **4**. 115, 414.
on com. of House, **3**. 542, 567.
Smith, Thos., a J. P., **4**. 889, 951, 1243; **6**. 342.
asks for new county, **4**. 887-889.
deputy auditor, **4**. 797; **5**. 616.
in assembly, **5**. 510, 511, 513, 521, 522, 545, 546, 671, 678, 689, 709, 725, 840, 843, 847, 863, 867, 884, 889, 917, 1002, 1005, 1006, 1008, 1088; **6**. 95, 109, 110, 114, 124, 131, 133, 146, 150, 154, 168, 174, 177, 180, 186, 187, 188, 190, 194, 197,

661, 800, 801, 823, 843, 886, 893, 899, 901, 904, 956, 959, 1152; **7**. 66, 67.
land grants to, **4**. 331, 332, 333, 627, 629, 641, 642, 709, 765, 895, 1241, 1252; letter ment'd, **5**. 167.
on com. of assembly, **5**. 523, 690, 805, 817, 859, 896.
patent altered, **6**. 332.
petition about land, **4**. xi, 273.
rights proved, **4**. 759.
to Pownall on quit rents, **4**. 19-21.
Smith, Thos., allowance to, **19**. 376.
Smith, Thos., army rank, **16**. 1152.
Smith, Thos., army rank, **16**. 1154.
Smith, Thos., army rank, **16**. 1155.
Smith, Thos., army rank, **16**. 1156.
Smith, Thos., army rank, **16**. 1156.
Smith, Thos., army rank, **16**. 1156.
Smith, Thos., army rank, **16**. 1160.
Smith, Thos., army rank, **16**. 1162.
Smith, Thos., army rank, **16**. 1162.
Smith, Thomas, asks pardon for regulators, **9**. 98-99.
Smith, Thos., attends Board of Trade, **4**. 437.
Smith, Thos., capt. of militia, **14**. 135.
Smith, Thos., disabled in service, **19**. 172.
Smith, Thos., executed, **12**. 484.
Smith, Thos., in army, **13**. 512.
Smith, Thos., in army, **13**. 525.
Smith, Thos., in army, **13**. 530.
Smith, Thos., in army, **15**. 718.
Smith, Thos., in army, **21**. 89.
Smith, Thos., in militia, **22**. 166.
Smith, Thos., in militia, **22**. 346.
Smith, Thos., in militia, **22**. 349.
Smith, Thos., in militia, **22**. 357.
Smith, Thos., in militia, **22**. 370.
Smith, Thos., in militia, **22**. 370.
Smith, Thos., in militia, **22**. 378.
Smith, Thos., in militia, **22**. 415.
Smith, Thos., juror, **25**. 190.
Smith, Thos., land lapses, **2**. 683.
lapse patent to, **2**. 523.
Smith, Thomas, loan officer, **22**. 1015, 1016.
Smith, Thos., major, **20**. 460, 572.
Smith, Thomas, payment to, **17**. 561.
Smith, Thomas, pays in bills of credit, **16**. 306.
Smith, Thos., pensioner, **19**. 195, 200, 288, 325; **22**. 85.
petition, **19**. 192, 195, 288, 291, 321.
Smith, Thos., quit rents of, **22**. 245.
Smith, Thos., quit rents of, **22**. 257.
Smith, Thos., receives clothing, **16**. 619.
Smith, Thos., to bring suits, **10**. 434.
Smith, Thos., to engross bills, **12**. 205.
Smith, Thos., to repair arms, **22**. 920.
Smith, Thos., treasurer of Hyde, **3**. 399.
Smith, Thomas, vestryman, **2**. 209; **23**. 8.
Smith, Thos., assaulted, **2**. 906, 907.
landgrave and gov. of S. C., **1**. 390.
instructions to ment'd, **4**. 1233, 1234; cited, **5**. 89.
powers, **4**. 1231; **5**. 85.
Smith, Thorowgood, **15**. 676.
Smith, Tob., in militia, **22**. 428.
Smith, Walthern, land grant to, **4**. 892.
Smith, Will, regulator, **7**. 738.
Smith, Wm., **9**. 1067.
Smith, Wm., **9**. 1068.
Smith, Wm., **3**. 204, 272, 492, 509, 510; **4**. 19, 208, 527, 851; **22**. 288.
answered by Burrington on Everard matter, &c., **3**. 239-41.
answers charges of usurpation, **4**. 455-460, 462-470.
approved by assembly, **3**. 552, 572, 600, 607-608.
arbitrary actions, **4**. v.
arrears of salary due to, **9**. 653.
attends Board of Trade meeting, **3**. 397.
auditor, **3**. 222.
authority for complaints inquired into, **3**. 420, 421.
baron of court of exchequer, **4**. 38, 40, 43.
brings in bill, **4**. 103.
Burrington on, **3**. 141; asked to explain his reflections on, **3**. 344-345; on his charges against himself, **3**. 342-343; to assembly on, **3**. 616.
Burrington's account and estimate of, **3**. 203; complaints of, **3**. 475; explanation of abuse of, **3**. 370-372.
calls attention to lack of quorum and resigns from council, **3**. 239.
carries official papers to England, **4**. 610.
charged with invading rights of council, **4**. 449-453, 455-460, 462-470, 480-481, 482, 483, 484, 485.
charges answered by Lovick and Little, **3**. 418-419.
chief justice, **3**. 214.
claims, **4**. 531.
commission as chief baron of exchequer, **11**. 17-18; as chief jus-

tice, **3**. 136, 237, 490; **11**. 9.
commissioner to revise laws, **4**. 411.
complaint against Burrington, **3**. 358-359, 512; against unjust power exercised by, **3**. 351; **4**. 438; against Little, **3**. 433; sent to, **4**. 453.
conduct bad, **4**. 1219.
copy of Burrington's remarks sent to, **3**. 600.
dead, **4**. 637, 925, 1166; **11**. 74, 101.
deposition ment'd, **3**. 501, 503.
disturbs assembly, **3**. 528.
efforts to remove as chief justice and reasons, **4**. 459, 465-467.
expenses paid by assem., **3**. 315, 322-323; to be paid, **3**. 278, 283.
favors county treasurers bill, **4**. 480, 484; Everard, **3**. 208; Wilmington bill, **4**. 449, 482, 483, 484, 485.
gained over by Ashe, **3**. 331.
Gale on charges of against governor, **3**. 341.
goes to England, **4**. 591.
Hanmer petitions King against, **4**. 623.
ignorance, **3**. 438.
ill treats grand jury, **4**. 21-22.
impeachment of, **4**. 500, 502, 503, 504.
in council, **3**. 85, 86, 91, 212, 245, 257; **4**. 3-4, 31, 36-52, 53-75, 218-225, 271-277, 279-283, 331-333, 342-347, 350-355, 440-446, 447-454, 455-461, 587-593.
inducts Rice as governor, **3**. 633.
insulted by Burrington, **3**. 364; by Moseley, **4**. 32-33.
Johnston's arrival announced to, **3**. 642.
judge of oyer and terminer court, **4**. 3.
land grant to, **4**. 219; offered to, **3**. 209.
leaves fortune to Gov. Johnston, **4**. 1216.
leaves N. C., **3**. 209, 250, 251, 334, 357, 491.
letter on Everard answered by Burrington, **3**. 239-241.
libel against, **4**. 537-8, 539, 562-3.
memorial of Burrington against, **3**. 373-375; on laws of N. C., **3**. 347-50.
nominated for treasurer, **3**. 484.
not president of council, **4**. 451.
objections of to laws, **4**. 201, 250.
on com. of council, **3**. 260, 279, 294, 318; **4**. 91, 92, 93, 371, 379, 411.
opposes Burrington, **3**. 139, 141, 143, 332; and tries to kill him, **4**. 164-165.
petition against Burrington considered and action on same, **11**. 16-17.
presents memorial on validity of laws, **3**. 531, 533, 535.
presides as president of council, **4**. 75-114, 225-241, 355-382, 470-475, 478-492, 535-551; **23**. 121, 128, 130, 135, 157, 204.
quarrels with Burrington on assistant judges, **3**. 236-238.
quoted on Boyd, **4**. 264.
recommendation for, **3**. 81.
remarks on assembly, **4**. 352.
reports on land frauds, **3**. 328.
resigns seat in council, **3**. 139, 141, 477.
said to hold sole power as C. J., **3**. 310.
salary as C. J., **22**. 259.
saved from impeachment, **4**. v.
schemes to defeat impeachment, **4**. 1207-1208, 1209, 1215-1216.
signs address of council, **4**. 409, 413; communications from council, **4**. 91, 98, 99, 131, 135, 141, 531, 533, 534, 571, 573.
succeeded by Palin as C. J., **3**. 433.
sum allowed him for going to England, **4**. 151.
takes bills for fees, **3**. 555, 590.
takes oath, **4**. 441.
thanked by assembly for his work in England, **3**. 572.
to assembly on Burrington's charges, **3**. 605-606.
to Burrington on the Everard investigation, &c., **3**. 230-239, 243.
to hold oyer and terminer court, **4**. 72, 218, 224, 335.
to report on revisal of laws, **4**. 514.
treasurer, **3**. 218; **4**. 354.
treatment by Burrington, **3**. 376.
villainies of, **3**. 626, 628.
Smith, Wm., army pay, **17**. 247.
Smith, Wm., army pay, **17**. 247.
Smith, Wm., army pay, **17**. 249.
Smith, Wm., army pay, **17**. 249.
Smith, Wm., army rank, **16**. 1152.
Smith, Wm., army rank, **16**. 1153.
Smith, Wm., army rank, **16**. 1153.
Smith, Wm., army rank, **16**. 1153.
Smith, Wm., army rank, **16**. 1154.
Smith, Wm., army rank, **16**. 1154.
Smith, Wm., army rank, **16**. 1156.
Smith, Wm., army rank, **16**. 1156.

Smith, Wm., army rank, **16**. 1157.
Smith, Wm., army rank, **16**. 1157.
Smith, Wm., army rank, **16**. 1159.
Smith, Wm., army rank, **16**. 1160.
Smith, Wm., army rank, **16**. 1161.
Smith, Wm., army rank, **16**. 1161.
Smith, Wm., army rank, **16**. 1161.
Smith, Wm., army rank, **16**. 1161.
Smith, Wm., army rank, **16**. 1162.
Smith, Wm., army rank, **16**. 1163.
Smith, Wm., army rank, **16**. 1163.
Smith, Wm., army rank, **16**. 1164.
Smith, Wm., case of, **20**. 219, 250-251, 410, 437.
memorial, **21**. 202, 205, 256, 579, 612, 632.
Smith, Wm., church commissioner, **2**. 874.
estate settled, **2**. 564.
law suit, **1**. 532, 562.
petition about road, **2**. 509-510.
reported for neglect, **2**. 400, 405, 411.
suspected, **2**. 346, 349.
witness, **2**. 82.
Smith, Wm., claims paid, **4**. 809.
Smith, Wm., court martialed, **12**. 484.
Smith, Wm., coms'r of Edenton, **23**. 137, 145.
Smith, Wm., in army, **13**. 505.
Smith, Wm., in army, **13**. 516.
Smith, Wm., in army, **13**. 519.
Smith, Wm., in army, **13**. 529.
Smith, Wm., in army, **15**. 740.
Smith, Wm., in Davidson's co., **14**. 294.
Smith, Wm., in militia, **17**. 1057.
Smith, Wm., in militia, **22**. 359.
Smith, Wm., in militia, **22**. 370.
Smith, Wm., in militia, **22**. 372.
Smith, Wm., in militia, **22**. 373.
Smith, Wm., in militia, **22**. 377.
Smith, Wm., in militia, **22**. 379.
Smith, Wm., in militia, **22**. 380.
Smith, Wm., in militia, **22**. 382.
Smith, Wm., in militia, **22**. 399.
Smith, Wm., in militia, **22**. 422.
Smith, Wm., in militia, **22**. 428.
Smith, Wm., juror, **25**. 187.
Smith, Wm., juror, **25**. 190.
Smith, Wm., land grant asked, **4**. 353.
land grant to, **4**. 59, 217, 223, 332, 343, 590, 591, 632, 708, 711, 801, 855, 1039, 1048.
rights proved, **4**. 709.
Smith, Wm., payment to, **9**. 649.
Smith, Wm., pensioner, **22**. 85.
Smith, Wm., pensioner, **22**. 86.
Smith, Wm., petitions for repeal of tax on free negroes, **6**. 982-983.
Smith, Wm., petitions on land grants, **9**. 1260-1263; **11**. 250-253.
Smith, Wm., petitions on land grants, **9**. 1260-1262; **11**. 250-252.
Smith, Wm., petitions on roads and ferries, **5**. 164-6.
Smith, Wm., takes oath, **22**. 172.
Smith, Wm., witness in Granbury case, **11**. 792.
Smith (Smyth), Dr. Wm., **8**. 733.
provost of Univ. of Pa., **7**. 260.
sermon ment'd, **10**. 86.
Smith, Wm. Allen B., in militia, **22**. 163.
Smith, Wm. Bailey, allowance to, **19**. 799, 801.
boundary coms'r, **24**. 223.
in assem., **19**. 1, 2, 12.
memorial, **19**. 92.
nom. for surveyor, **19**. 691.
on Va. boundary dispute, **14**. 353-5.
resolve in favor of, **19**. 456.
Smith, Winstone, **9**. 1067, 1069.
Smith, Zechariah, regulator, **8**. 79.
Smith and Hewes, **22**. 632.
Smith Church, **5**. 1180.
Smith Co., Tenn., **14**. 311.
Smith family, **8**. 734.
Smither, Peter, army pay, **17**. 248.
Smithers. See Smethers.
Smithers, Garret, **21**. 849.
Smithers, John, witness, **4**. 502.
Smithers, John, army pay, **17**. 249.
Smithers, John, in militia, **17**. 1059.
Smithers, Moses, army pay, **17**. 249.
Smithey, Richard, receives clothing, **16**. 619.
Smithfield, **13**. 53, 54, 752, 910; **14**. 74, 81, 159, 169, 170, 200, 301; **15**. 435, 443, 525, 738; **17**. 857; **19**. iv; **20**. 315; **22**. 127, 544, 545, 548, 967.
act to establish, **24**. 21-22; to save lots in, **24**. 334.
and location of capital, **17**. 144.
arms removed to, **17**. 665.
assembly held in, **13**. 735-824, 970, 983; **14**. vi, l, 115, 181, 349; **15**. 223; **24**. 254, 255, 262, 368.
good place for executive headquarters, **24**. 829.
inspection at, **24**. 581.
named as place for assembly, **17**. 941; **19**. 189, 312, 578, 584, 587, 623; for capital, **22**. 28.
prisoners (Br.) sent to, **14**. 111, 112,

198, 203; **22**. 952.
troops to rendezvous in, **24**. 369.
Smithfield, Va., **9**. 1235; **14**. 94; **15**. 143, 301, 379, facing 380, 383.
British move on, **14**. 718.
Smithfield Camp, **15**. 487.
Smithfield Church, **5**. 1182.
Smithfield Journal, **12**. 611, 612.
Smithies, John, land grant to, **4**. 333.
Smithick. See Smithwick.
Smithick, Hugh, lands of, **1**. 422.
Smithick, Hugh, pays rent, **1**. 403.
Smith's Academy, act to convey land to, **24**. 754; to incorporate, **24**. 454-5.
bill to convey land to, **17**. 279, 284, 291, 299, 339; **20**. 9, 64.
Smith's Clove, **14**. 365.
Smith's Clover, **14**. 159.
Smith's Company, **25**. 51.
Smith's Creek, **4**. 886, 897; **5**. 653; **6**. 211; **23**. 133, 147, 220, 910.
act for bridge over, **23**. 385-6; **23**. 462-3.
bill for bridge over, **4**. 1320, 1322, 1323, 1329, 1334, 1335, 1336, 1337, 1338, 1339, 1348; **16**. 66, 68, 75, 83, 90; **19**. 38, 39, 44-45, 58.
Smith's Creek Ferry, act for bridge near, **23**. 385-6.
bill for bridge at, **4**. 1320, 1322, 1323, 1329, 1334, 1335, 1336, 1337, 1338, 1339, 1348.
Smith's Ferry, **8**. 666; **19**. 838; **22**. 544.
Smith's Ferry (John), tobacco inspection at, **23**. 804.
Smith's River, Va., **18**. 604.
Smithson. See Smisson.
Smithson, Jno., in assem., **19**. 718.
resigns as J. P., **20**. 252, 428, 436.
Smithson, Jno., in militia, **22**. 351.
Smithson, Thomas, juror, **4**. 519.
Smithson, Thos., juror, **25**. 187.
Smithson, Thos., quit rents of, **22**. 250.
Smithwick. See Smethweck, Smithick.
Smithwick (Smithnick, Smithwicke, Smithwickee), ——, law suit, **1**. 402; **2**. 112.
Smithwick, Mr., helps on chapel, **1**. 559.
Smithwick, David, drafted, **14**. 839.
Smithwick, Ebenr., tax collector, **19**. 706.
Smithwick, Edd., army rank, **16**. 1156.
Smithwick, Edmund, a J. P., **2**. 676; **3**. 418.
juror, **2**. 686.
Smithwick (Smethwick), Edmund, abused by Johnston, **7**. 627-8, 629.
chairman committee of whole, **4**. 564, 565; **6**. 499, 501.
collector, **23**. 373.
deposition on efforts to break up assembly, **4**. 1194-1195.
in assembly, **4**. 365, 406, 414, 493, 501, 510, 539, 559, 560, 564, 652, 654, 720, 725, 733, 770, 784; **6**. 390, 428, 470, 514, 662, 663, 893, 913, 921, 1152, 1259; **7**. 62, 66, 342, 343, 363, 372, 581, 646, 933.
land grant to, **4**. 344, 589, 625, 633, 711, 764; asked, **4**. 964.
on claims com., **22**. 400, 828, 829.
on com. of assembly, **4**. 491, 526, 529, 555, 570, 722, 723, 737, 738, 773; **6**. 641, 665, 841, 896, 913, 914, 1263; **7**. 345.
reports on public claims, **6**. 738-744.
resurvey granted to, **4**. 947; ordered, **4**. 1037.
rights proved, **4**. 598.
sheriff, **4**. 1182.
Smithwick, Edmund, in Prov. Cong., **9**. 1042, 1049; **10**. 501.
Smithwick, Edmund, witness, **2**. 658.
Smithwick, Edmundson Edward, in assembly, **12**. 656, 698, 736, 857, 872, 880; **13**. 625, 690, 697, 708, 709, 712, 717, 721.
on com. of assembly, **12**. 658; **13**. 668.
Smithwick, Edmundson Samuel, debts due by, **8**. 280-281.
in assembly, **8**. 344, 348, 353, 386, 389, 401, 404, 405, 407, 422, 425, 426, 427, 444, 455.
Smithwick, Edward, a J. P., **4**. 47, 346.
Smithwick, Edward, a J. P., **15**. 693.
Smithwick, Edwd., a J. P., **23**. 994.
Smithwick (Smithwicke), Edward, accounts as church warden, **1**. 678.
asks aid of Va., **1**. 837-8.
attorney, **1**. 430, 623.
church warden, **1**. 596.
dismissed from vestry, **2**. 151.
estate of settled, **2**. 290.
furnishes plank, **1**. 702.
gives land for church, **1**. 544.
grand juror, **2**. 115.
helps hire minister, **1**. 616.
juror, **1**. 431.
land lapses, **2**. 66-67.

lands of, **1**. 302.
law suits, **1**. 387, 422.
on Cary rebellion, **1**. 784-7.
sent to Va., **1**. 429.
to choose referee, **1**. 560.
to deliver standard, **1**. 702.
to keep weights and measures, **1**. 569.
vestryman, **1**. 543, 558, 560, 568, 571, 596, 599, 615, 616, 629, 678, 680, 684, 686, 701, 829-831.
witness, **1**. 741, 744.
Smithwick, Edward, army pay, **17**. 248.
Smithwick, Edwd., army rank, **16**. 1156.
Smithwick (Southwick, Smethwick), Edward, in assembly, **9**. 725, 734, 772, 850, 874, 902, 903, 907, 909, 930, 951; **17**. 276, 293, 304, 355, 359, 365, 366, 368, 387, 391, 394, 395, 406, 425; **19**. 376, 380, 384, 388; **20**. 120, 121, 124, 174, 207, 229, 238, 239, 240, 246, 276, 285, 287, 288, 306.
resigns as J. P., **21**. 261, 611, 633.
Smithwick, Edward, juror, **4**. 525.
land grant to, **4**. 765.
Smithwick (Smithwicke), John, law suit, **1**. 422.
juror, **25**. 188.
petition for land, **2**. 66-67.
Smithwick, John, juror, **4**. 523.
resurvey granted to, **4**. 636.
Smithwick, John, pensioner, **22**. 86.
Smithwick, Sam'l, a J. P., **15**. 693; **23**. 994.
in assembly, **13**. 785, 820, 824, 952, 966, 975, 983, 984, 988, 990, 1000; **16**. 2; **17**. 877, 878, 936, 947, 953, 963; **19**. 382, 391, 581, 613, 622, 643, 644, 667, 671, 675, 677, 688, 714.
money from, **21**. 1064.
owes State, **21**. 1075.
to Martin on specific tax, **17**. 31.
Smithwick, Samuel, dues from sheriff, **9**. 573.
in Prov. Cong., **10**. 914, 919, 930, 960.
Smithwick, Sam., in militia, **22**. 270.
Smithwick, Samuell, juror, **4**. 525.
land grant to, **4**. 344, 629, 636.
rights proved, **4**. 629.
Smithwick, Samuel, town coms'r, **24**. 308, 777.
Smithwick, Wm., army rank, **16**. 1156.
Smithwick, Wm., army rank, **16**. 1161.
Smithwick, William, church warden, **1**. 561.
Smithy, Moses, in militia, **22**. 377.
Smoaking Creek, 22. 1002.
Smoking in meeting, 1. 216.
Smoky Mountain, 25. 4.
Smollett's History of Eng., cited, **15**. 677.
Smoot, James, pensioner, **22**. 87.
Smuggling, act on, **25**. 206, 219-220.
extent and methods, **3**. xvi-xvii.
in Cape Fear River, **10**. 233, 235.
opportunities for, **4**. 170; **5**. 640.
Smylie. See Smiley.
Smylie, Math., land grant asked for, **4**. 454.
Smyre, J. F., 8. 752.
Smyrna Church, history, **8**. 750, 752.
Smyth. See Smith.
Smyth, Anne, gives up guardianship, **2**. 240.
Smyth, George, land lapses, **2**. 302.
to make rent roll, **2**. 35.
Smyth, Hannah, petitions to appraise estate of Lawson, **1**. 872.
Smyth, James, petition on C. H., **9**. 806-808.
Smyth, John, deposition on boundary and Indian lands, **1**. 661.
Smyth, Robert, arrested for not paying taxes, **2**. 141-142.
Smyth, Samuel, buys at Martin sale, **22**. 889.
Smyth, Samuel, witness, **9**. 1006.
Snake, boat, sold, **15**. 558.
Snap, Lawrence, land grant to, **4**. 1047.
Snead. See Sneed.
Snead, Mr., bills delivered to, **12**. 264.
Snead, Maj., 10. 119.
Snead, Christopher, petitions on land grants, **9**. 1260-2; **11**. 250-2.
Snead, Israel, 10. 129.
Snead, John, a J. P., **4**. 346.
Snead, John, a J. P., **23**. 994.
on Surry S. C., **10**. 228.
ranger, **10**. 690.
Snead, John, inquest on, **22**. 825.
Snead, John Ta., witness, **5**. 930.
Snead, Robert, clerk of claims com. and allowance to, **22**. 863, 866.
Snead, Robert (Reuben), nom. for judge, **20**, 244, 279, 423, 465.
on S. C. of Onslow, **9**. 1237.
Snead, Robert, Sr., nom. as judge, **20**. 266, 442.
Snead, Robert W., allowance to, **19**. 376, 378, 380, 382.
asst. clerk of house of commons, **12**. 665.

building coms'r, **25**. 97.
in assembly, **21**. 194, 195, 210, 232, 234, 264, 288, 294, 319, 344, 346, 366, 367, 372, 382, 402, 411, 432, 584, 600, 730, 732, 780, 781, 801, 806, 815, 839, 846, 852, 862, 876, 941.
in conv. 1788, **22**. 3.
in conv. 1789, **22**. 38, 47, 48.
trustee univ., **25**. 22.
Snead, Samuel, advises retreat before regulators, **8**. 608.
loyalist, **10**. 596.
makes provision returns, **22**. 470, 492.
presides at court, **8**. 255.
surety, **7**. 114.
Snead, Temp., asks for release of Husband, **10**. 932.
Snead, Wm., army pay, **17**. 250.
army rank, **16**. 1164.
Snead, Wilson, in militia, **22**. 421.
Snead, Zadock, army rank, **16**. 1164.
Snead's, on post route, **7**. 149, 413, 454.
Sneal, Samuel, **10**. 129.
Sneall, John, road coms'r, **23**. 222.
Sneatman, Wm., army pay, **17**. 246.
Snee farm, **14**. 821.
Sneed. See Snead.
Sneed, Alex., in militia, **22**. 351.
Sneed, Ellick, army pay, **17**. 249.
Sneed, Israel, school trustee, **24**. 979.
Sneed, John, a J. P., **4**. 224.
Sneed, John, army pay, **17**. 249.
Sneed, John, town coms'r, **24**. 305.
Sneed, N., in conv. 1789, **22**. 47, 48.
Sneed, Robert, in militia, **22**. 87.
Sneed, Samuel, juror, **8**. 72.
Sneed, Sam., sells horse, **19**. 928.
Sneed, Saml., takes oath, **22**. 175.
Sneed, Stephn., sells horse, **19**. 928.
Sneet, Geo., army rank, **16**. 1160.
Sneidor, George, petitions for lands, **4**. 954-956.
Snell, Lieut., **12**. 460.
Snell, Ann, summoned as witness, **6**. 999-1000.
Snell, Israel, road overseer, **1**. 534.
Snell, James, army rank, **16**. 1157.
Snell, John, imported, **1**. 394.
Snell, John, juror, **4**. 525.
land grant to, **4**. 765.
Snell, John, law suit, **2**. 81.
Snell, Mary, imported, **1**. 394.
Snell, Mary, sells land, **1**. 434.
Snell, Rebecca, imported, **1**. 394.
Snell, Robert, quit rents of, **22**. 257.
Snell, Roger, a J. P., **4**. 1039.
Snell, Roger, imported, **1**. 394.
indentured servant, **2**. 66.
Snell, Roger, imports persons, **1**. 394.
juror, **1**. 392.
sells land, **1**. 434.
Snell, Roger, juror, **4**. 522.
Snell, Roger, juror, **25**. 188.
Snell, Roger, Jr., quit rents of, **22**. 260.
Snell, Stephen, petition allowed, **13**. 754-755, 804, 806, 808.
sloop of captured, **13**. 482.
Snellen, Hannah, proves gift, **1**. 575.
Snellen (Snelling), Israel, death, **1**. 575.
juror, **1**. 388.
Snelling, Richard, suspected, **2**. 346, 348-349.
Snelling, Wm., in militia, **17**. 1045.
Snelson, Thomas, Baptist minister, **5**. 1191.
Snider, Christian, army pay, **17**. 246.
Snider, John, regulator, **8**. 78.
Sniles, Anty, army rank, **16**. 1165.
Sniling, Aquiller, asks relief from church tax, **9**. 95-6.
Snipes, Jno., in militia, **22**. 332.
Snipes, Wm., army pay, **17**. 246.
army rank, **16**. 1164.
Snipes, Wm., in militia, **22**. 333.
Snoad, Elizabeth, land grant asked, **4**. 707.
Snoad, Mrs. Eliza., rights proved, **4**. 706.
Snoad, Henry, land grant asked, **4**. 963.
land grant to, **4**. 642, 761, 762, 1032, 1049.
resurvey to, **4**. 1035.
rights proved, **4**. 1032.
Snoad, John, a J. P., **3**. 244.
Snoad, Jno., juror, **25**. 189.
Snoaye, Capt., commands privateer, **14**. iv.
Snoddy, ——, among Indians, **17**. 11.
Snoden. See Snowden.
Snoden (Snowden), Constance, gives power of atty., **1**. 652.
sells land, **1**. 608.
Snoden (Snowden), Thos., accounts against estate proved, **2**. 148, 149.
asks for lapsed land, **2**. 502.
asks Va. for aid, **1**. 888-889.
attorney, **1**. 565, 567, 573, 575, 576, 583, 854, 585, 590, 591, 608, 609, 610, 617, 620, 622, 652, 653, 654, 857, 865; **2**. 81, 82, 83, 84, 90, 91,

92, 95, 97, 99, 100, 101, 102, 103, 105, 107, 109, 110, 113.
attorney general, **1**. 622.
buys cattle, **1**. 604, 613, 617.
clerk of court, **1**. 619.
juror, **25**. 186.
law suit, **2**. 82.
makes motion, **1**. 591.
pays witness, **1**. 627.
prosecutes, **1**. 622-3, 626.
proves account, **1**. 620.
sells, **1**. 652.
speaker of assembly, **1**. 838.
widow marries, **2**. 392.
witness, **1**. 606, 609, 613, 625, 650, 656.
Snoden, Thos., Jr., law suit, **1**. 623.
Snoden, Thos., Sr., debts to acknowledged, **1**. 656.
petitions for lapsed land, **2**. 72.
Snodgrass, Neil, church trustee, **23**. 960.
property confiscated, **19**. 672; **24**. 263, 424; to be seized, **10**. 961.
Snooke, ——, ship master, **5**. 757, 792.
Snookes (Snooke, Snooks), Daniel, imports persons, **1**. 618.
juror, **1**. 426, 433, 434.
law suit, **1**. 525, 549.
ordered to court, **1**. 625.
road overseer, **1**. 531.
witness, **1**. 434.
Snooks (Snuk), John, sells land, **1**. 488.
Snor, John, regulator, **8**. 78.
Snotherly, Philip, **8**. 737.
Snow, Osaw, in militia, **22**. 349.
Snow, Frost, pensioner, **22**. 84.
Snow, John, pensioner, **22**. 87.
Snow, Robt., a J. P., **23**. 993.
Snow, Robert, condemns land for Ft. Johnston, **7**. 703-704.
recommends McDowell, **6**. 232-3.
to McDowell on his work, **6**. 537-538.
Snow, Silvanus, ship master, **8**. 261.
Snow, Spencer, tailor, **15**. 477.
Snow, ship, **9**. 33.
Snow and Frost, pensioner, **22**. 65.
Snow Camp, S. C., **15**. 350, 355.
Snow Camp campaign, **10**. 340.
Snow Campaign, the, **19**. 975; **22**. 113.
Snow Creek, census of, **10**. 280.
Snow Gully, vessel, condemned, **1**. 546.
Snow Hill, **4**. x.
on Granville's line, **5**. lv.
Snowd, John, land grant to, **4**. 75.
Snowden. See Snoden.
Snowden, George, juror, **4**. 518.
Snowden, Nathan, to make deed, **24**. 530.
Snowden, Nathl., army rank, **16**. 1167.
Snowden (Snoden), Thos., bound out, **1**. 398.
imported, **1**. 396.
Snowden, Thos., land grant to, **4**. 52.
Snowden, Thos., quit rents of, **22**. 254.
Snowden, Thos., quit rents of, **22**. 257.
Snowden, Wm., juror, **4**. 518.
Snowden (Snowdon), Wm., lieut., **10**. 945.
resigns as lieut., **10**. 975.
Snowden, Wm., Jr., to lay out road, **25**. 474.
Snowden, Zebu., army rank, **16**. 1159.
Snugg, Robert, petition of adm., **21**. 951.
Snutman, Wm., army rank, **16**. 1163.
Snyder, Chris'r, army rank, **16**. 1162.
Snyder, Paul, prisoner, **17**. 1045.
Soan, John, a J. P., **3**. 223, 418.
Soaner, Capt., vessel seized, **2**. 562.
Sobarton, Stephen, army pay, **17**. 248.
Soberness and good order of Tuscaroras, **1**. 978-979.
Society for Promotion and Establishing Public School in Newbern, the, **23**. 915.
Society for Promoting Christian Knowledge, books sent out, **1**. 572.
Society for the Propagation of the Gospel, **2**. 872; **10**. 116; **23**. 6.
act to allow Presbyterians to perform marriage ceremony disallowed, **9**. 7.
Adams to on church affairs, **1**. 722; on Quakers and religious affairs, **1**. 733-734; on state of religion, **1**. 719-721.
affidavit in behalf of Bailey, **2**. 581.
agrees to aid Germans of Rowan Co., **8**. 630-633.
Barnett to on church affairs, **7**. 163-9, 789-790; on his work, **7**. 515-516; **8**. 228-229; to Warring on church affairs, **7**. 161-163.
Beacroft on appointment of Garzia, **4**. 560.
beginning of its work, **1**. xxv.
Bevis to on his career, **4**. 877.
Bp. of London to Board of Trade on church act, **9**. 81-84; to on conversion of Palatines, **1**. 831.
Blair's letter to, **1**. 600-603.
Boyd to Bishop of London on his work, **4**. 7.

Briggs to on his work, **8**. 63-64.
Burrington to Bishop of London on church affairs, **3**. 339-40, 342-3.
catalogue of Moseley library, **2**. 583-4.
character of Urmston, **2**. 431.
Christian to on his work, **9**. 1022-1023.
clergymen go to Eng. for ordination, **7**. 670.
consulted on Vaughan's gift, **5**. 144, or 144*c*.
Cupples to on his work, **7**. 704-5; on regulators and his work, **8**. 551-3.
DeGraffenried to Bp. of London on the Swiss and estab. church, **1**. 756.
Dennis to on Cary rebellion, **1**. 803-4.
Dobbs to on church affairs, **6**. 221-224, 709-710, 1039-1041; on Macdowell, **6**. 235.
Drage to on church affairs in Rowan Co., **8**. 502-7; to Tryon on church affairs, **8**. 179-181; on struggle against dissenters in Rowan, **8**. 202-210.
Dukenfield to Bishop of London on need of missionaries, **2**. 530-531.
Earle recommended to by St. Paul's Parish, **6**. 241; on church affairs, **7**. 192-3; on clergy and American cause, **10**. 237-238; on condition of churches, **7**. 7-8; on his work, **6**. 240-241, 552, 710-711. 980; **7**. 115, 264, 701; **8**. 542; **9**. 273, 1251.
Eden to on departure of Urmston, **2**. 430; on need of missionaries, **2**. 269-270, 292-293, 430; on Urmston and church affairs, **2**. 227-9.
Everard to Bp. of London on church affairs, **3**. 15-16, 48; to on church affairs, **2**. 604-605.
Fiske to Tryon on his work, **7**. 872.
Gale to Bishop of London on church and political affairs, **3**. 340-341; on religious affairs, **1**. 867-868; on need of missionaries, **2**. 133.
Gardin to Bishop of London on Boyd and church affairs, **4**. 263-5.
Garzia to on his work, **4**. 604-605.
Glover to on Cary rebellion and religious conditions, **1**. 732-733.
Gordon to on rise of Quakers, **1**. xix.
Granville to Bishop of London on his mission in N. C., **3**. 341-342.
Guy to on missionaries for N. C., **2**. 245-246.
Hall to on church affairs, **4**. 924, 925; on his work, **4**. 752-753, 793, 794, 872, 873, 875, 1314-1315.
Heron to on character of Smith, **6**. 312-313.
Hyde to Rainsford on religious affairs, **1**. 849-50.
Johnston to on church affairs, **4**. 876.
Jones to Tryon on difficulties of getting ordination, **8**. 23-24.
Lapierre to Bp. of London on church affairs, **3**. 391-392, 623-625; on his work. **3**. 529-30.
letters to, **1**. 571-573, 677-8, 681-2, 685-7, 689-90, 700-1; ment'd, **8**. xliv.
Macartney to on his work, **8**. 85-86.
Macdowell to on his sickness, **6**. 977-978; on his work, **6**. 224-226, 552-558, 561-562, 567-568, 724-728; and its difficulties, **6**. 235-239; on his work and salary, **6**. 966-967.
Marsden to Bishop of London on his work, **4**. 10-14, 244-245.
Martin to on character of Tomlinson, **9**. 304-307.
memorandum concerning endowment of churches, **2**. 582.
memorial from Newbern on school, **7**. 35-36; in favor of Smith, **6**. 58-60.
Micklejohn to on Tryon's gov't, **7**. 519-520.
Moir to on church affairs, **4**. 621-622, 878, 923; **6**. 233-234, 1050-1053; on Dobbs, **7**. 7; on failure of assembly to provide for ministers, **4**. 603-604; on his conduct, **6**. 978-980; on his work, **4**. 605-6, 606-8, 791-2, 795; **6**. 233-234, 316-317, 578, 735, 994-995, 1042; and the currency, **4**. 754-756; and travels, **7**. 265-6; on public affairs, **6**. 316-317, 552; on Tryon's work for established ch., **7**. 145.
Morton to on his work, **7**. 252-253, 424, 520-521.
Moseley to Nicholson on plate for churches, **2**. 133-134.
Orr to on church affairs, **4**. 622; on his work, **4**. 608-9.
Pasquotank vestry to on church affairs, **2**. 291-2.
petition and representation of Boyd, **3**. 394; for minister, **1**. 604; from St. Luke's Parish, **8**. 154-155; for minister, **4**. 796-7; in favor of Bailey, **2**. 624-625.
Pettigrew to on his work, **10**. 496.
Pollock to Nicholson on church and

other affairs, **2.** 137-138.
Rainsford to Chamberlayne on affairs in N. C., **2.** 53-55; to Nicholson on libraries and schoolmasters, **2.** 75-76; to on church affairs and his own work, **2.** 121-123, 152-153, 245; on N. C. affairs, **1.** 857-860; on Tuscarora war and state of church, **2.** 16-18.
recommendation of McCarthy, **9.** 61-62.
Reed to on church affairs, **6.** 745; **7.** 97-99, 750; on court bill and public affairs, **9.** 815; on his work, **6.** 231-233, 264-266, 326, 565, 1047-1048; on marriage act, &c., **9.** 5-7; on Methodists and need of tracts, **6.** 594-595; on Morton, **7.** 241-242; on need of clergy laws, **6.** 990-991; on need of vestry act, **9.** 341; on public affairs, **6.** 999; **7.** 154; on resuming his work as pastor, **10.** 428; on school in Newbern, **6.** 1047-1048; **7.** 97-99; **9.** 271-273; on school trouble in Newbern and his own health, **9.** 238-244; on vestry act on poor, **9.** 1014-16; on Whitfield and Tryon, **6.** 1060-1061.
remonstrance of Bailey against Everard, **2.** 579-80.
secretary to Commissary Johnston on appointment of missionary to N. C., **2.** 200-201; to Johnston on maintenance of missionaries, **4.** 794-795.
Smith to on church affairs, **5.** 961-962.
Stewart to on Blinn, **8.** 51-52; on church affairs, **6.** 976-7; on church acts, **6.** 242-243; on church membership of, **6.** 1056; on death of Dobbs and his own work, **7.** 3; on his work, **6.** 242-243, 315-316, 562-564, 734-735, 995-996; **7.** 126-7, 492-496, 522; on storm, **8.** 159-160.
Stuart to on his work, **7.** 263-264.
Taylor to on his work, **2.** 331-333.
Taylor to on church affairs, **9.** 1003-1004; on his work, **9.** 20-3, 325-7.
to Eden on appointment of Newman as missionary, **2.** 432-433.
Tomlinson to on Newbern school troubles, **9.** 245-248, 317-318.
Tryon to Bp. of London on church affairs, **7.** 456-457; to Burton on Barnett's leaving N. C., **7.** 514-515; on church affairs, **7.** 457-8; on Jones, **8.** 65; on Wills, **7.** 786; to Drage on dissenters in Rowan, **8.** 217-218; to society on church affairs, **7.** 158, 259-60; **8.** 12-16, 50, 220-222; on state of church of Eng., **7.** 457; on state of religion and schools, **7.** 102-104; to St. Luke's Parish on Drage, **8.** 150-151.
Urmston to Hodges on books and religious affairs, **1.** 884-885; to Nicholson on church affairs, **2.** 125-128; on his misfortunes, **2.** 116-117; on C. affairs, **1.** 763-772; **2.** 76-8; on Cary rebellion, **1.** 773-775; on church affairs, **2.** 130-132, 138, 176-177, 247-249, 270-272, 278-279, 286-288, 294-295, 304; and servants, **2.** 260-261; and Taylor's death, **2.** 380-382; on Gale and Eden, **2.** 284-286; on his debts and other affairs, **2.** 416-17; on his fortunes, **2.** 187, 218-220, 278-279, 309-311, 371-373, 373-374; on his leaving N. C., **2.** 431-432; on Indian troubles, **2.** 143-144; on Indian wars and affairs generally, **2.** 185-186-187; on religious affairs, **1.** 887-888; on N. C. affairs, **1.** 850-1; on vestry act, **2.** 223-4.
vestry and clergy acts disallowed, **6.** 720-3.
vestry of Bath Co. to on need of missionaries, **2.** 273-274; of St. Paul's to on church affairs, **2.** 118-121; recommends MacDowell, **6.** 232-3; to MacDowell on his work, **6.** 537-8.
vestry to on Adams, **1.** 728, 729, 730.
Wills to be inducted into St. James Parish, **8.** 174, 199.
Woodmason's account of N. C., **7.** 283-8.
See also Established Church.
Society of Cincinnati, bill to prevent members sitting in Assembly, **19.** 743.
Society Parish, 5. 93, 116, 406; **7.** 115; **23.** 187.
act to fix boundaries, **23.** 164-5; 205-206, 336, 337, 445; to create, **25.** 298-304.
incumbent, **8.** 221, 222.
report on, **7.** 457, 540.
Socket (or Sockey), Thos., leases Indian lands, **25.** 507-9.

Socoa, France, fees in port of, **17.** 619, 621, 622.
Soconee, burned, **10.** 882.
Socrate, 4. 762.
See also Soracte.
Socrates, History of, **2.** 583.
Sodden, Jno., army rank, **16.** 1157.
Sodor and Mann, Bishop of, instructions for Indians, **4.** 609.
Soelle, Rev. Mr., arrives in Wachovia, **5.** 1151.
charges of, **5.** 1152.
Soho, London, 7. 516.
Soil, answers on, **6.** 605, 606, 607.
character, **3.** 49.
excellence of on Edisto River, **1.** 123-124, 125, 132-133, 138-139.
of Port Royal, **1.** 134, 138-139.
Sojourner, Wm., founds Kehukee settlement, **5.** 1164, 1165.
Sol, John, petitions on outlaws, **11.** 731-2.
Soldiers, act for pensions, **21.** 909; **24.** 735-7, 744; for relief of, **24.** 419-22, 540, 562, 564, 566-8, 569, 682, 683, 686, 722, 734-5, 787-91, 891-2; **25.** 31; on issue of certificate to, **25.** 75-6.
allowance to, **17.** 953-954; **22.** 753.
and girls, **16.** 606-607.
bill for pensions, **17.** 306, 310, 312, 320-321, 325, 330, 339, 342, 344, 369, 392; for relief of, **19.** 80-1, 121; for settlement of accounts, **21.** 803, 817, 863-864, 867, 868, 884, 906, 907, 970, 972, 981, 982, 983, 984, 990, 997, 1005, 1006, 1008, 1056; for tax to pay interest on certificate, **19.** 636-637, 702; to amend act for relief of, **20.** 498; to emit currency to pay, **19.** 555, 566, 576, 602, 677-678; to pay, &c., **19.** 411-412, 414, 431-432, 445, 455, 456, 457, 462, 467, 474-475, 729, 740, 743, 767, 781, 789, 795, 798, 807, 818, 822; to pay interest to, **19.** 547; to settle accounts, **20.** 61, 78, 88, 110; and frauds in, **20.** 207-8, 214-215, 217, 228, 230, 232, 233, 234, 393, 408, 409, 420, 421, 423-424, 432-433, 472, 473.
certificates to, **17.** 527.
claims of, **20.** 614, 615-616.
clothing for, **19.** 126.
commission to lay off lands for, **16.** 621-622, 623.
committee and bill on arrears due to, **19.** 162, 194, 205, 212, 213, 214-215, 216, 218, 219, 220, 222, 223, 227, 229, 231, 280, 281, 282, 289, 293, 307, 310, 315, 320, 323, 334, 335, 344, 346, 353, 355, 356, 358, 364, 366, 367, 562, 575, 602, 603, 604, 605, 640, 651, 685-687, 697, 702-703, 705; and reports of commis., **20.** 8; to examine report on accounts, **17.** 280, 282.
frauds in accounts, **20.** 747-750.
impressed into Br. service, **17.** 1038-1039.
interest paid on certificates, **19.** 801, 818.
land frauds, **20.** 109, 113.
lands for considered, **16.** 688, 713, 714, 715-716, 733, 783, 888, 892, 912, 919-920; granted to, **16.** 164-165, **17.** 456-457; **18.** 406, 416; likely to be lost, **16.** 524-526; protected in Tenn. cession, **25.** 4-6.
muster rolls wanted, **20.** 604, 614, 615-616, 630, 749, 761.
not to be quartered on people, **25.** 21.
pensions for, **17.** 499; proposed, **18.** 544-547, 590, 594.
report on raising of, **4.** 421, 423.
resolves on payment of, **17.** 438.
roster of, from N. C., **16.** 1002-1197.
settlements of accounts, **20.** 535.
Soldies, Wm., petitions on land grants, **9.** 1260-1262; **11.** 250-252.
Soler, John, recommended for major, **14.** 134.
Solesbury, Job, in army, **15.** 740.
Soletay, ship, **10.** 364.
Soleyree, Andrew, land grant to, **4.** 58.
Solicitor, 23. 263.
bill to appoint, **19.** 204, 214, 333, 344, 346, 353, 355, 359.
Solicitor General, Boyd, **2.** 520.
elected, **21.** 850, 854, 1024, 1025, 1027, 1036, 1044.
Jones on need of, **7.** 425.
need of, **7.** 486.
Solicitor General of England, consulted on foreign attorneys law, **4.** 849.
declares N. C. laws void, **3.** iii.
laws referred to, **4.** 1029; **6.** 69.
on representation and other acts, **4.** 1223-1224, 1225, 1227; on passage of representation act, **5.** 91, 108.
on N. C. and S. C. acts, **3.** 350.

opinion asked on N. C. laws of 1729, **3**. 396, 397, 398.
opinions on blank patents, **4**. 318-323, 326.
Popple sends case and queries to, **3**. 346-7; to on Smith's memorial, **4**. 348-9; on validity of N. C. laws, **3**. 532, 535.
report on quit rents and staple commodities, **4**. 286-291; on S. C. church acts, **1**. 642-643, 644.
Solicitor General of revenues, Cholmondely, **6**. 47, 48, 49, 50.
Solley, James, in militia, **22**. 349.
Solley (Solly), John, a J. P., **2**. 572, 638; **3**. 234; **4**. 48.
a justice of general court, **2**. 463-476, 478, 511-513.
asks for lapse patent, **2**. 501.
in assembly, **4**. 1182.
juror, **2**. 511, 556, 591, 646, 830, 833, 834; **4**. 548.
libel of, **2**. 456.
prisoners to appear before, **2**. 513-514.
summoned to court, **2**. 549, 554.
to be treasurer of Pasquotank, **3**. 546, 578, 580.
vestryman, **2**. 209; **23**. 7.
Solley's Point, act for ferry at, **23**. 500, 595; **25**. 389, 481-2.
bill for ferry to, **5**. 1019-1020, 1021, 1022, 1036, 1051, 1052, 1054, 1055, 1059, 1062, 1097; **6**. 1225-6, 1239, 1240, 1272, 1296; **7**. 308, 315, 374, 390, 397; to continue ferry act, **6**. 847, 854, 863, 866, 883, 886, 912, 920, 921, 932, 956, 957, 958-959.
Sollings, John, army pay, **17**. 248.
Solomon, King of Israel, **2**. 583; **15**. 16.
Solomon, Bennet, work, **5**. 1185.
Solomon, Isaac, army pay, **17**. 250.
Solomon, Lazarus, army rank, **16**. 1163.
Solomon, Wm., army rank, **16**. 1163.
Solomons, Haym, draft on taken up, **16**. 943.
Solomons, Raymond, army pay, **17**. 250.
Solomon's Luth. Church, Tenn., Tenn. Synod organized at, **8**. 782.
Solon, **17**. 36; **19**. 496.
Solsberry, Benj., army rank, **16**. 1154.
Soltor, Benjamin, militiaman, **7**. 262.
Soltor, Christopher, militiaman, **7**. 263.
Soltor, John, militiaman, **7**. 262.
Somerhayes, John, settler, **1**. 76.
Somerlin, Henry, land grant to, **4**. 959.
Somers. See Sommers, Summers.
Somers, John, **2**. 804.
Somerset, Charles Noel, a proprietor, **3**. 35.
receives share of C. from father, **11**. 90.
sells share of C., **4**. 656.
Somerset Co., Eng., **2**. 56.
Somerset Co., Md., tories broken in, **11**. 379.
Somerton (Somer Town, Sommertown), Va., **1**. xx, 914.
visited by Fox, **1**. 216.
Somerton Chapel, **2**. 756, 805.
Somerton Creek, **2**. 748, 756, 805, 806.
Somerton Road, **2**. 748.
Somerville, John, town coms'r, **24**. 878.
Sommerhall, Jacob, to Stuart on Rambo, **7**. 866.
Sommers. See Somers, Summers.
Sommers, Curtis, army pay, **17**. 250.
Sommers, John, receives pay for soldiers, **17**. 196, 197, 202, 206, 207, 221, 223, 228, 233, 234, 236, 241, 244, 245, 250, 254, 255, 260, 263.
Sommers, John, resigns as J. P., **21**. 81.
Sommers Camp, **14**. 311, 312, 323.
Somner. See Sumner.
Somner, John, a J. P., **2**. 773.
Somonds. See Simonds, etc.,
Somonds, Argil, in militia, **22**. 356.
Sondelands, Lieut., dead, **15**. 757.
Sondhill, John Smith, regulator, **8**. 79.
Soner, Henry, petitions for extension of power of J. Ps., **7**. 874-875.
Sons of Liberty, compared with regulators, **8**. x, xxi, xxii.
letter to from S. C., **8**. 197-199.
organized, **7**. iv, v, xxi, 1.
work for, **7**. 249, 250.
Soonacoha, **18**. 799.
Soots, Frederick, pensioner, **22**. 85.
Soots, Jacob, regulator, **7**. 737.
Sophia, Princess, **2**. 859; **3**. 67, 68, 69, 91, 109; **5**. 1107, 1108; **6**. 525, 526, 528; **7**. 4; **8**. 513, 514; **9**. 3; **23**. 525; **25**. 426.
Sophia, murderer, **10**. 119.
Soracte (town), **4**. 686, 762; **5**. 772, 779; **6**. 569; **7**. 198.
Sorall, Had, petitions for Windsor as C. H., **9**. 804-805.

Sorber, ——, pastor of German Reformed churches, **8.** 742.
Sordan, Edward, army pay, **17.** 248.
Soriano, Nathaniel, on S. C. petition, **1.** 637-640.
Sorrel, Ben, in militia, **15.** 399.
Sorrel, Thos., army rank, **16.** 1161.
Sorrell, Lewis, army rank, **16.** 1164.
Sothell (Sothel, Southwell), Seth, a Proprietor, **1.** 276, 345, 389.
address to from S. C. on the state of affairs, **2.** 839-52.
appointed gov., **1.** 276, 283, 288, 339.
bad treatment of, **2.** 850.
buys, **1.** 400.
buys Clarendon's share of C., **1.** 339.
character, **1.** 288, 327.
charges against estate of, **1.** 452, 456-7.
collector, **1.** 327.
deputy of heirs of, **2.** 223.
disregards fundamental constitutions, **1.** 381, 384.
imprisoned, **1.** 362, 369.
imprisonment recalled, **3.** 618-619.
indication of injuries by, **1.** 346.
indictments against by proprietors, **1.** 367-371.
instructions to, **1.** 346-347, 349, 350-352.
leads mob in S. C., **1.** 371.
possibly appoints Gibbs a deputy, **1.** xxv.
power to collect debts from, **1.** 403-4.
Proprietors to on Ketchmaid, **1.** 355-356; to on suppression of pirates, **1.** 354; to people on actions of, **1.** 384.
punishment, **1.** 369-370.
redemption of, **1.** 321.
refuses to recognize deputies, **1.** 382.
relation to pirates, **1.** 383.
sent out to settle Culpeper rebellion, **1.** 279, 305-306, 327.
settlement of estate, **1.** 432.
special court to settle charges against, **1.** 362.
suspended and charges against to be examined, **1.** 359-360, 362.
taken by Turks, **1.** 276, 283, 327.
takes lace, **1.** 457.
takes salary of secretary, **1.** 351.
tried by assembly, **1.** xxiv.
tries to steal Ludwell's plantation, **1.** 352.
troubles with to be examined by Gov. Ludwell, **1.** 362-363.
turned out of office, **2.** x.
widow marries Lear, **1.** 448.
will proved, **1.** 393.
Sott, Sam'l, in militia, **22.** 330.
Souchong tea, 16. 948; **17.** 157.
Soul, Silvanus, land grant to, **4.** 894, 964.
Soulanges, Mr., 18. 509.
to judges on Algerine war on U. S., **17.** 480-481, 501, 541.
Soulter, John, army pay, **17.** 250.
Sound Company, the, report on, **22.** 386-8, 389.
Sounders, Richards, quit rents of, **22.** 252.
Sounds, the, 22. 135, 215.
act on navigation of, **24.** 402-4.
bill to mark channel, **19.** 75.
evil effects of, **2.** 396, 419.
South, John, stops survey, **5.** 494.
South, the, 22. 527, 659; **26.** iii.
threatened by Br., **11.** 542; **12.** iv.
South America, 5. xiii; **15.** 338.
N. C. troops in expedition against, **4.** x.
trade with, **22.** 900, 902.
South Branch of Catawba River, and S. C. boundary, **8.** 556, 557, 561, 563, 564, 612.
South Britain, 4. 976; **23.** 317.
act to put laws of in force repealed, **5.** 150; discussed and repealed, **5.** 105, 106, 117.
bill to put laws of in force in N. C., **4.** 989, 993, 1003, 1013, 1014, 1015, 1016, 1017, 1020.
South Buffalow, 8. 507.
South Cape Fear, 16. 596.
South Carolina, 1. xi; **2.** 185, 247, 271, 284, 286, 325, 372, 541, 557, 759, 778; **3.** 9, 35, 127, 128, 129, 139, 195, 204, 209, 211, 239, 332, 334, 368, 369, 435, 475, 476, 529, 574, 624, 632; **4.** ix, xiii, 14, 15, 28, 29, 39, 58, 132, 156, 157, 175, 263, 264, 279, 308, 318, 320, 333, 341, 350, 416, 423, 438, 459, 465, 587, 608, 612, 613, 622, 656, 659, 671, 721, 757, 758, 797, 849, 879, 943, 1086, 1088, 1106, 1133, 1136, 1142, 1160, 1231, 1301; **5.** xlvii, lv, 1, 10, 81, 251, 252, 347, 371, 438, 560, 585, 591, 610, 612, 617, 630, 631, 632, 652, 667, 752, 902, 927, 969, 971, 987, 1105, 1161, 1165, 1172, 1181, 1186, 1188, 1195, 1207, 1223; **6.** 60, 210, 211, 217, 225, 236, 259, 313, 315, 374, 407, 426, 481, 555, 557,

561, 606, 608, 609, 611, 616, 617, 626, 673, 701, 729, 749, 754, 774, 781, 784, 791, 792, 976, 977, 1014, 1039, 1050, 1167, 1291; **7**. 112, 116, 144, 149, 161, 205, 206, 208, 209, 212, 216, 268, 284, 286, 287, 408, 448, 460, 465, 466, 496, 503, 510, 515, 523, 615, 660, 685, 785, 876, 995, 997, 1005, 1006; **8**. xliv, 43, 73, 210, 221, 278, 548, 741, 745, 746, 747, 754, 755, 760, 765, 767, 771, 772, 793, 794, 795, 796; **9**. 33, 264, 270, 364, 581, 953, 965, 988, 994, 998, 1001, 1022, 1147, 1173, 1175, 1252, 1256; **10**. 96, 101, 125, 126, 136, 181, 182, 184, 225, 312, 315, 322, 362, 378, 439, 475, 526, 527, 551, 555, 629, 652, 657, 744, 751, 752, 759, 763, 782, 793, 828, 846, 869, 899, 937, 967; **11**. viii, xiii, xiv, xv, xvi, 23, facing 80, 90, 104, 156, 159, 161, 162, 171, 172, 178, 197, 198, 206, 207, 217, 251, 252, 267, 271, 291, 292, 303, 313, 316, 317, 319, 376, 384, 385, 386, 389, 390, 394, 398, 415, 416, 439, 455, 457, 461, 464, 496, 502, 652, 663, 664, 670, 717, 749, 762, 791, 818, 834; **12**. 64, 131, 242, 292, 420, 423, 428, 612, 779, 804, 821, 839; **13**. x, xii, 4, 43, 95, 98, 116, 119, 144, 184, 203, 204, 216, 229, 231, 232, 257, 269, 271, 280, 296, 299, 305, 333, 338, 396, 398, 404, 447, 485, 491, 498, 537, 538, 817, 851, 942, 961, 994; **14**. iv, xi, xiii, xvi, 2, 8, 39, 57, 69, 78, 79, 98, 99, 112, 130, 146, 156, 157, 162, 180, 214, 216, 220, 274, 311, 339, 397, 405, 407, 418, 431, 459, 463, 500, 505, 539, 547, 578, 582, 619, 620, 650, 652, 659, 660, 661, 664, 665, 684, 697, 716, 727, 734, 743, 750, 759, 779, 821, 827, 844, 847, 865, 866, 871, 872, 874; **15**. iv, ix, xi, xiii, 2, 9, 10, 19, 25, 26, 31, 32, 40, 49, 56, 61, 63, 65, 94, 104, 110, 126, 132, 139, 148, 152, 155, 157, 158, 159, 165, 167, 175, 187, 208, 256, 257, 263, 268, 282, 283, 317, 322, 344, 347, 349, 351, 354, 369, 376, 379, 382, 387, 388, 389, 390, 403, 458, 460, 475, 500, 521, 525, 533, 578, 585, 587, 621, 630, 690, 691, 692, 745, 771, 778, 788; **16**. vii, xi, 156, 209, 217, 218, 242, 243, 250, 270, 271, 376, 408, 419, 420, 440, 470, 475, 483, 487, 511, 539, 545, 550, 555, 580, 585, 607, 651, 655, 661, 662, 680, 688, 689, 693, 702, 712, 729, 742, 768, 933, 935, 948, 965, 966, 974, 984, 986, 993, 1166; **17**. ix, 43, 93, 104, 124, 126, 136, 141, 148, 149, 158, 163, 167, 169, 170, 188, 407, 408, 430, 449, 450, 460, 474, 487, 489, 490, 517, 522, 596, 606, 668, 719, 920, 995, 996, 1015, 1019, 1040, 1051, 1052, 1053; **18**. 79, 80, 234, 402, 405, 467, 489, 508, 524, 555, 675, 689, 707, 756, 760, 762, 811, 814, 816; **19**. vi, 71, 240, 485, 575, 577, 665, 692, 699, 712, 866, 867, 902, 960, 968, 969, 975, 985, 989, 990, 996; **20**. 8, 40, 54, 111, 403, 487, 605, 643, 658, 662, 664, 695, 763, 775, 781, 783, 789; **21**. 11, 17, 74, 75, 78, 105, 111, 139, 388, 407, 448, 456, 458, 460, 504, 703, 856, 1034, 1041; **22**. 33, 93, 95, 98, 99, 100, 102, 104, 105, 106, 107, 112, 113, 115, 116, 119, 121, 123, 126, 129, 130, 134, 140, 142, 144, 152, 153, 154, 158, 159, 184, 189, 196, 228, 231, 233, 237, 335, 402, 531, 536, 543, 583, 608, 754, 765, 812, 851, 966, 1018; **23**. 448, 589, 769; **24**. 135, 141, 151, 160, 236, 341, 474, 662, 759, 801, 838, 954, 961, 986, 989; **25**. 142, 143, 272, 356, 357, 468, 487.

abuses in gov't, **2**. 847, 848.

academy in, **15**. 392.

account of, **2**. 420-425; of first settlement, **2**. 839; of quit rents desired, **4**. 586; of Yemassee war, **2**. 177-179.

act for aid to, **23**. 475; **24**. 245, 257, 262, 282, 331-2, 336, 339-41; **25**. 345-8, 393, 394-5; for company to open Catawba; **24**. 961-2; for duty on imports from, **23**. 363-364, 374; for established church, **2**. 867-882; for preservation of gov't and establishing the church in S. C., **2**. 863-867; forbidding tories of to recover slaves, **24**. 954; on plunderers in, **24**. 351; to aid N. C. in Tuscarora war, **2**. 883; to encourage settlement, **2**. 838; to keep S. C. stock out of N. C.; **23**. 676-7; to pay debt due to, **23**. 90; **25**. 161; to restrain trade, **10**. 109-112, 113.

action of Board of Trade on affairs of, **2**. 280-282.
actions of examined in light of Fundamental Constitutions, **2**. 898-900.
acts to suspend collection of foreign debts, **2**. 836-838.
Adams desires to be sent to, **1**. 734.
address against Va. Indian trade, **1**. 823; to House of Lords on religious affairs, **1**. 634-40; to Sothell on the state of affairs, **2**. 839-52.
admiralty court, **1**. 490-491.
affairs in, **14**. 263.
agent to be sent to on Tuscarora war, **1**. 851.
agrarian agitation in, **1**. 288.
aid from in Tuscarora war, **1**. xxx, 839, 860, 874, 875, 877, 879, 880, 881-882, 883, 885, 892-893, 897-905, 954, 956; **2**. xiv, 13, 15, 16, 23, 24, 25, 26, 28, 29, 31, 36, 44-7, 48-50, 52-53, 60, 61-62, 64, 144, 883; **9**. viii; to N. C., **5**. 986; in French war, **5**. 378, 391-393, 401, 407; to, **5**. 763, 1001; **10**. 455; **14**. 31; asked for, **15**. 402; to and leave to recruit in asked from N. C., **10**. 924, 928-929, 931, 932, 936-937, 938, 939, 942, 943, 947, 949, 950, 951, 958, 961; to from N. C., **5**. 761-762, 763, 765; **6**. 476, 790; **11**. xi, xii, xiv, 302, 303, 307, 308, 309, 310, 311, 312, 313, 315, 357, 359, 411, 412, 457, 474; **14**. 15, 37, 43, 60-61, 64, 67, 73, 77, 78, 79, 83, 87, 100, 102, 103, 110, 112-113, 127, 143, 151, 160, 162, 175, 188-189, 192, 196, 205, 206, 209, 211-212, 220, 224, 229, 230, 233-234, 254, 255, 260, 261, 284-285, 287, 292-293, 296, 298, 312, 320, 324, 325, 326, 333, 335, 336, 338, 341, 343, 344, 347, 352, 356, 357, 358, 359, 423, 496; **15**. 336-337, 340, 341, 350, 351, 354, 355, 358, 359, 363, 390, 683, 684; **17**. 719; **19**. 995; **22**. 730, 731, 935, 936, 938, 941, 942, 945, 946, 949, 953, 956, 967, 982, 983, 984, 985, 986, 1038; discussed, **10**. 905-7, 909, 912; needed, **5**. 869; **14**. 802; **15**. 330-331, 332, 333, 388; not needed, **22**. 766-7, 768-9; opposed by Moore and depositions on same, **15**. 687; should be paid for by U. S., **24**. 679; wanted, **10**. 805; from Parliament, **5**. 925; from Va., **5**. 765, 766, 767; in French war, **6**. 666; in Yemassee war, **2**. v-vi, 180, 196-199.
all land to be registered, **3**. 95.
allowance to atty. gen., **5**. 349; to loan office, **20**. 652.
allowed to recruit in N. C., **6**. 323.
allows U. S. to regulate trade, **17**. 43-48, 64-65, 67.
amount of land grants in, **1**. 696; of land to be cultivated, **4**. 433.
and aid in French war, **5**. 569.
and Albany Union, **5**. xx.
and battle of Briar Creek, **14**. 40, 52, 53.
and Catawba boundary, **7**. 438.
and Cherokee boundary, **7**. 466, 467, 468, 469, 470, 502, 509, 852-855, 999; **15**. 704.
and Indian trade, **6**. 5.
and King's Mtn. battle, **15**. xi, 101, 106, 133, 142, 163.
and U. S. duties, **18**. 499, 528, 529, 533, 558, 738.
animosity to Va. subsides, **5**. 636.
Archdale to appoint deputy gov. for, **1**. 390.
arms and am. in for N. C., **14**. 98; sent to, **14**. 49, 92; to be secured from, **13**. 758, 814, 816.
Armstrong commands troops of, **10**. 1035.
arrears in, **2**. 722-3; **3**. 294, 549, 569; given to King, **4**. 793; remitted, **5**. 19, 1133.
asked for arms, **13**. x; for cannon, **4**. 700, 702, 703; **10**. 871, 872; for powder, **10**. 338, 351; to cede lands, **18**. 715, 717.
asks for powder, **10**. 787; aid from King, **2**. 188-189, 230; aid of N. C., **2**. 243; **10**. 892-893; **14**. 23, 32; Caswell to take command of N. C. troops, **13**. 224; for list of banished tories, **16**. 858, 878; Va. for aid in Yemassee war, **2**. 202-203.
assembly, all members must take sacrament of Ch. of Eng., **1**. 635-6, 639-40; extracts from journal on payment of war debts, **2**. 417-418; not paid, **3**. 154; thanks Barnwell and gives him £60, **1**. 902.
Atkins Indian agent for, **4**. 912-13.
attacked by Indians, **10**. 881; **22**. 184.
attacks Cherokees, **6**. 438; St. Augustine, **1**. 664.

attempts to take N. C. territory, **5**. 388.
Baptists in, **5**. 1168, 1170, 1175, 1176, 1178, 1185, 1187, 1191.
battalions filled from N. C. and Va., **10**. 795-796.
battles in, **19**. 957-958, 959, 963, 966; of N. C. to be fought in, **10**. 905.
Bee, delegate from to C. C., **14**. 804.
bill for aid to, **5**. 831, 833, 834, 836-839, 842, 846-847, 848, 849, 850, 851, 852, 855, 856, 857-858, 859, 860-861, 862, 865, 866; for duty on liquors imported from, **4**. 1260, 1262, 1265, 1266, 1273, 1280, 1281, 1282, 1285, 1286, 1288, 1291, 1299; for Estab. Ch. passed, **2**. 910; for road to, **6**. 492; to prevent cattle being driven into N. C. to range, **7**. 306, 307, 310, 312, 317, 328-329, 330, 338, 371, 373, 381, 382, 389, 407, 410, 421; to send aid to, **13**. 758, 761, 769, 800, 817-818, 878, 881, 882, 969-970, 971, 973, 977.
bonus paid to settlers, **5**. 386.
borrows £1000, **22**. 533.
boundary with Ga. discussed, **5**. 641; with Indians fixed, **6**. 1090.
bounds N. C., **4**. 1073.
bounty in, **6**. 322-323; on hemp, **8**. 559, 570.
brigade sent to be recalled, **13**. 924-925, 926, 927, 933.
British act to reimburse for French war, **25**. 362, 378.
British in, **17**. 921; **19**. 910, 912, 913, 968, 970, 972, 973, 974, 980, 983, 989, 995, 996; **24**. 348, 352; affairs in, **17**. 1031-7; attack, **10**. 653, 654; and defeated, **10**. 618-618*d*. correspondence on war in, **17**. 979-1037; difficulties in, **17**. 1015, 1016; discussed, **14**. 821-824; expedition against, **10**. 903, 904, 909, 910; fortunes in, and gift to Greene, **16**. 499; grievances against, **18**. 563-565; invade, **14**. 103, 104, 112-13, 119-120, 240, 312, 359, 380, 448, 469; **15**. 320, 332, 337, 340, 341, 344, 354, 355, 363; movements in, **14**. 763-764, 825-826; **15**. 496-497; overrun, **17**. 717; possessions in, **15**. 468, 471; reinforced in, **16**. 5; reverses in, **17**. 1028-1029, 1030; said to have left, **14**. 141; taken in, **19**. 885; threaten, **22**. 935, 936, 949, 982, 984, 986; troops to go to, **10**. 299, 307; to invade, **14**. 547, 796; to march to through N. C., **15**. 549, 550, 551; troops to be sent to, **10**. 313-314; **11**. 282.
builds fort for Catawbas, **11**. 220, 227; among Cherokees, **5**. 655-656; among Indians, **8**. 569.
Bull to Dartmouth on revolution in, **9**. 1258-60.
Burrington to visit, **2**. 563.
Campbell on rebellious spirit in and answer, **11**. 259-261.
can be held by N. C. tories, **10**. 46.
capital to be fixed, **1**. 384.
Carteret's share to be in N. C., **4**. 639, 643.
Cary rebellion in, **1**. 801.
Caswell on the small aid to, **14**. 13-14.
Catawba lands to be surveyed, **7**. 147.
Catawbas left in, **5**. xxxviii; move into, **6**. 710.
Catawbas and Cherokees to be included in, **5**. 374, 381.
cattle distemper from, **5**. xli, 1029; range in N. C., **7**. 267.
cause of separation from N. C., **1**. xv.
cedes lands, **21**. 504.
certificates to line of, **17**. 527.
change in tone towards, **2**. viii.
character of gov't, **2**. 396; of militia, **19**. 980.
charges to be preferred against Barnwell to, **1**. 843.
Cherokee affairs of, **14**. 221; attack on, **10**. 661, 665; cessions to, **8**. 25; fall on frontiers, **10**. xiv-xv; outrages on, **11**. 343, 344.
church acts in, **1**. xxv-xxvi, xxvii, 912, 915-917; characterized, **1**. 635-7; affairs in, **4**. 608-9, 622.
circular to safety committee of on public affairs, **10**. 51-60.
civil regulations for discussed, **15**. 296-297.
claims land north of 35°, **5**. 382; N. C. territory, **5**. xxxiv.
clergy paid out of public treasury, **6**. 990.
clothing to, **14**. 551.
coast surveyed by Dunbibin, **5**. 847.
command of important, **15**. 778.
commission and instructions to Gov. Johnson, **1**. 554-7; for trial of pirates in, **3**. 82; to treat with Cherokees and Creeks, **22**. 717.

committee of safety to Wilmington prov. council on affairs in S. C., **11**. 267-269; application to buy arms from, **10**. 636; proceedings on payment of troops in S. C. expedition, **11**. 273.
committees from N. C. and Ga. to visit and confer with safety com. of, **10**. 470, 472.
complains of injury by Indians, **3**. 153.
complaints against Indian traders, **5**. 427; of receiver general of, **11**. 108.
condition of, **2**. 196-9.
conduct approved, **9**. 1016; of Granville's agents investigated, **5**. 1088-1094.
confiscated property to be recovered from, **16**. 727.
confiscation policy criticised, **16**. 247.
conquered by Br., **15**. 225; and results, **15**. iii.
constitution ment'd, **10**. 868; put in force, **10**. 1035.
Cont. troops in, **19**. 911.
contributions asked for Charleston fire sufferers, **4**. 591.
Cook makes maps for, **11**. 224.
Cornwallis' experience in, **15**. iv-v; on his reorganization of, **15**. 249-252, 253, 256; moves towards, **15**. 523; retreats to, **15**. xiii; reports on affairs in, **14**. 868-869; to Germain on military movements in, **15**. 263-268.
correspondence to be carried on with, **10**. 289.
Craven Co. to be organized in, **1**. 93.
Creeks declare war, **6**. 263-264; threaten, **5**. 569.
Culpepper made surveyor general, **1**. 211-212; runs away from, **1**. 288.
cultivates friendship of Indians, **1**. 898.
cut off from trade, **10**. 58.
danger from Indians, **6**. 439; from its falling into French or Spanish hands, **3**. 11; of attack from St. Domingo, **5**. xxviii; of encroachments on, **2**. 383; to the settling of, **3**. 50.
date when term comes into use, **25**. v.
dealings with pirates in, **2**. 848.
deaths of ministers in, **2**. 309.
debt of, **2**. 912; to be paid in corn, **2**. 883; **3**. 188.
debtor acts of, **1**. xxxiv; from run to Cape Fear, **3**. 51.
defeats Indians, **10**. 750.
defence of considered, **5**. 809; **14**. 4.
defended by militia, **10**. 902.
De Foe on church act, **2**. 917-918.
De Foe's Party-Tyranny, **2**. 890-923.
demands that N. C. depend on it, **2**. 448.
depose governor, **2**. 768.
deputy gov. to be appointed, **1**. 695.
desires Caswell to command N. C. troops, **22**. 983, 984.
disorder and revolution in, **2**. 394.
distribution of commands in, **11**. 704.
disturbances in, **1**. 371.
Dunn sent a prisoner to, **10**. 673, 677, 797.
duty on exports to, **7**. 402.
effects of church act, **2**. 920-921.
emigration from, **2**. 229; **4**. xx-xxi; forbidden, **2**. 185.
emissions for aid of, **8**. 213, 214.
encourages immigrants from Europe as foil to slaves, **8**. 558-559, 570-571; Catawbas to drive whites off lands, **5**. 144; Protestants, **4**. 490, 533.
encroachments on Cherokees, **7**. 165.
enlists N. C. soldiers and action on same, **10**. 68; **11**. 357-358, 362-363, 458; denounced, **11**. 356-357.
estimate of supplies needed for troops to go to aid of, **14**. 811-812.
evacuated, **16**. 773.
exchanges prisoners, **13**. 882, 884.
exhausted, **16**. 703, 712.
expedition against Cherokees, **5**. xxii; **11**. 316, 317, 319, 320, 328, 343, 344, 346, 349, 350, 354, 355-356, 417, 439, 444-445; against Scovilites, **10**. 340-341, 356.
expenses of troops to ment'd, **5**. 800; of troops in, **5**. 802.
exposed position, **1**. 547.
extracts from journal of assembly, **2**. 254-260.
failure of campaign in to be inquired into, **14**. 699, 708-709; to send aid to, **6**. 538.
favorable locality for war ship, **3**. 11.
favored by Proprietors, **2**. xii.
favors assumption, **22**. 795.
fertility and health, **3**. 12.
Fifth Cont. regt., **17**. 1040.

first name, **2**. vii.
first settlement, **2**. 763-4.
for districts created, **10**. v.
forbidden to recruit in N. C., **12**. 35; **15**. 692.
forces return home, **1**. 861, 862.
former laws and instructions repealed, **1**. 380.
fortifications, **2**. 422.
fortified by Cornwallis, **16**. iv.
fortifies coast, **10**. 872.
forts needed in, **5**. 477.
frauds in elections, **2**. 902, 903, 908, 910.
free, **16**. 749; **17**. 5.
freedom to French and aliens, **2**. 905.
French and Dutch consuls in, **17**. 480, 481-482, 498, 500, 503, 566.
French officers arrive in, **11**. 502; try to incite Indians against, **5**. 435.
frontier, character of, **2**. 177.
Fundamental Constitutions not received, **3**. 452-453.
furnishes aid to neutrals, **5**. 585.
Garden commissary, **3**. 391.
gives bounty, **14**. 21.
gives no help to build Cherokee fort, **5**. 609, 610.
gold and silver in, **5**. 379, 392.
governor of, **1**. 530; absorbs Indian trade, **2**. 845-846; consulted on Cherokees, **7**. 235; has same instructions as in N. C., **3**. 87-88; to appoint commissioners to lay out Carteret's share of C., **11**. 93, 94; to be superior to that of N. C., **2**. 394.
government in, **17**. 524-525; of N. C. made separate from, **1**. xxxi, 750.
grain scarce in, **9**. 327; to be shipped to, **2**. 183.
grant to, **6**. 1263; for French war, **6**. ix, x; by Parliament, **5**. 869, 1022, 1035, 1058, 1071, 1087, 1095; **6**. 37, 76, 103.
grants from in Anson Co., **6**. 796; in N. C., **5**. xxxiii, xxxiv; up to Cape Fear River, **2**. 395-396.
Greene goes to, **16**. viii.
has more slaves than N. C., **9**. 612.
Hayward delegate from, **10**. 801.
hemp and flax not exported through, **5**. xlii.
hemp exported from, **6**. 1030.
Hillsborough to gov. on silk culture, **8**. 38.
Holden on, **1**. 663-664.
horse thieves from visit N. C., **7**. 862.
Howe on defenceless condition of, **11**. 707-709.
Huger nominated as a brigadier, **13**. 485.
illegal trade in, **5**. xliv; **6**. 1021; and pirates in, **1**. 467.
immigrants arrive, **15**. 544; to remain in N. C., **4**. 686-687.
importance of dissenters, **2**. 911.
in C. C., **20**. 603, 632; **21**. 441, 534.
in danger of attack by French, and defence of, **5**. 751, 752, 753, 755.
in vice admiralty district of Charleston, **11**. 219.
income and expenses, **3**. 10.
Indians, boundary, **17**. 583; depredations on, **11**. 313; slaves sent to, **2**. 2; take prisoners, **2**. 1-2; threaten, **22**. 755, 1000; threaten to attack N. C. Indians, **3**. 202, 205; threaten Tuscaroras, **3**. 345, 346; trade with, **1**. 863; **8**. 556; engrossed by governor, **2**. 904; traders not regulated, **7**. 109-10; unite against, **11**. 372; war in, **2**. 243, 283.
industry and bounties in, **8**. 570.
injuries from Indian war, **2**. 251-254.
instructions to gov., **11**. 242-243, 244; on boundary survey, **3**. 84; **11**. 233-235; quoted, **5**. 454; to Gov. Tynte, **1**. 704-7.
insurrection of slaves in, **8**. 559, 560, 571.
invasion of, **14**. vi, 8; by Spaniards, **2**. 846; by Morgan proposed, **14**. 759; not repelled, **14**. iii; of N. C. necessary to save, **15**. 260.
Johnson on better improving and settling, **3**. 125; on government of, **2**. 518-520; reports on affairs of, **3**. 393-4.
judicial functions of illustrated, **10**. 316-17.
Kyrle, governor, **2**. 837.
land grants, **1**. 696; to be registered, **7**. 11.
lands to be set apart for foreign Protestants, **4**. 1078, 1079, 1085-6.
Lapierre sent to, **3**. 391.
laws of sent to N. C., **18**. 248; **22**. 991.
Lawson makes map of, **1**. 717.

lays duties on goods brought down the Pedee, **7**. 155; on naval stores, **5**. 787; on N. C. produce, **6**. 778.
Lee and Armstrong to command in, **10**. 482, 483.
legal opinions on church acts, **1**. 642-3.
letter from for aid referred to com. of assem., **13**. 875, 967, 968, 969; on Cherokees, **19**. 897-898; submitted to assem., **13**. 771, 775, 792; to Sons of Liberty, **8**. 197-199; to com. of correspondence of on Boston trouble, **11**. 245-246; of gov. submitted to assembly, **13**. 630, 631-2, 633.
liable to be cut off to the west, **5**. 382.
library ment'd, **2**. 869.
light horse abandoned in, **22**. 968.
Lincoln on affairs in, **15**. 348-349.
location of militia, **14**. 21.
Locke brings aid to, **22**. 812.
loss of feared, **14**. 858; threatened, **15**. 269.
losses of at Camden, **15**. 167; at Eutaw Springs, **15**. 637-638; at Stone Ferry, **15**. 751.
lowers price of Indian goods, **7**. 270.
loyalists in, **10**. 407, 408; **14**. 517.
Lutheran Synod of, **8**. 793, 795, 796.
Lutherans in, **8**. 776, 777, 778; churches in, **8**. 776.
McCulloh comptroller of revenues, **4**. 1076, 1081, 1082, 1083; consulted on affairs of, **4**. 340; efforts by to collect debt from, **5**. 122; inspector of revenues and land grants and instructions to, **11**. 31-41; made revenue coms'r, **4**. 340-1; on act of to remedy rent roll, **11**. 102-103; paid out of quit rents of, **5**. 615-616; proposals by on settlement of quit rents and land grants and reports of committee on same, **11**. 61-65; reports land grants and quit rents in, **11**. 45-54; revenue commissioner, **4**. 340, 341; **5**. 615; to freeholders on regulation of land grants and payment of quit rents, **11**. 54-59.
mad with R. Howe, **13**. 225; **22**. 983.
makes expedition against Tuscaroras, **1**. 820-5; treaty with Cherokees, **11**. 447, 451, 456, 459, 496, 498.
manner of paying clergy, &c., **7**. 150-151.
map of by Cook, **8**. 557, 569.
marriage act ment'd, **1**. xxxiv.
Marsden goes to, **1**. 689.
martial law in, **2**. 844-845.
Martin criticises, **9**. 1146; on pacification of, **14**. 848-849; proc. against, **10**. 16-19; to be made gov. of, **15**. 148.
may export grain to N. E., **15**. 269.
memorial from N. C. to, **1**. 827-829; of agent on boundary and history of same, **8**. 564-573.
method of granting land, **2**. 849; **4**. 289; **5**. 100, 101; of law suits, **5**. 358; of paying clergy, **6**. 223; of paying quit rents, **4**. 203; of removing ministers, **2**. 873-874.
Michel proposes to go to, **1**. 964.
militia attacked by Indians, **22**. 137; disappears, **14**. v; goes home, **14**. 312; in battle of Stono, **14**. 313; join Cornwallis, **14**. 777; leave Ga., **14**. v; needed against Cherokees, **6**. 115, 124-125, 133, 151, 152, 153, 154, 155; on Broad River, **15**. 184; ordered to, **5**. 816-17; **15**. 311, 314; sent to, **13**. 894-895, 897, 899, 901, 986-987, 993; service in, **17**. 96-97; threatened by Br., **17**. 1044-1046; to be called out, **14**. 851; to be discharged, **15**. 390; tory movements, **22**. 183, 231; wd. at Camden, **22**. 531.
military stores taken to, **14**. 17.
money advanced to troops to by entry takers and sheriffs, **13**. 549, 554, 655-656; due to McCulloh in, **11**. 118, 119; granted to by Cont. Cong., **14**. 1; loaned to, **15**. 417.
Montgomery's proposed settlement in, **2**. 300, 301.
Moravians in, **5**. 1153.
Moultrie on movement of troops in, **14**. 323-5.
movements of Br. in, **14**. 92-93; of troops in, **14**. 269-270.
Nash offers to lead troops to, **15**. 227; on condition of affairs in, **14**. 824-825.
naval stores, **4**. 5.
negroes brought in, **4**. 172; brought from, **1**. 871; insurrections in, **11**. 225-6, 227; run from to Fla., **2**. 847.
New Lights in, **7**. 286.

newspaper ment'd, **4**. 932, 940.
Nicholson, governor, **2**. 20, 22; **3**. 81-82.
no county courts in, **6**. 1038.
no laws in force, **2**. 844.
no liberty of appeal in, **2**. 419.
N. C. trade centers in, **7**. 865; **25**. 470.
N. C. troops invade, **17**. 979; enlist in service of, **11**. 431; **16**. 687; not to enlist under, **22**. 942; to be sent to, **13**. 265, 266, 267-269, 276-277, 279-281, 282-284, 288-289, 292-293, 294, 295, 300, 307, 308, 313, 318, 320-321, 322-323, 332, 338-340, 342; **14**. viii-ix; **25**. 458; N. C. and Va. troops to be sent to, **13**. 238, 239, 242, 245, 246-247, 249-250, 252, 254, 255-256, 258.
northern boundary of, **2**. 395.
not to recruit from N. C. troops, **10**. 880.
not subdued, **15**. 284.
notes counterfeited, **20**. 661-5.
number of Br. and tories in, **14**. 505-507, 516-517; of militia in Charleston, **15**. 26; of troops from, **14**. 272.
officers refuse to do their duty on quit rents, **11**. 73.
opposes Montgomery's grant, **2**. 449.
opposition to Br. in, **15**. 266-7.
ordered to raise troops for French war, **5**. 791.
orders whites off Catawbas' lands, **5**. 124.
O'Sullivan to proprietors on, **1**. 206-208.
outrages on by N. Carolinians, **5**. 376.
paid for gunpowder, **10**. 470-471.
paper money emitted, **2**. 912; should be taken in payment for quit rent, **2**. 244.
parishes deserted in, **2**. 200-1; established, **2**. 868-9.
part of Granville's claim should have been in, **5**. lv.
parties go to to marry, **10**. 1017.
patriotism in, **17**. ix, x.
payment for expedition to, **5**. 968; for support of troops in, **5**. 984; to companies for, **5**. 798; to militia, **22**. 1013.
pays in bills of credit, **16**. 306.
petition of Boone, **1**. 637-640; of refugees from considered, **16**. 60, 61; **19**. 35; to proprietors on church affairs, &c., **2**. 901-9.
pirates in, **25**. v.
places for collecting quit rents, **4**. 207.
Polk's work in, **15**. 178.
population, **4**. 156; **5**. 766; in 1755, **5**. 470, 471-472, 473.
possible additions to, **6**. 1024.
post established in, **7**. 100; route to established, **5**. 885, 886; route to needed, **5**. 918.
powder act cited, **8**. 532; sent to, **14**. 45-46.
practice of courts quoted, **3**. 170, 173.
Presbyterians in, **5**. 1193, 1196, 1207, 1208, 1218, 1225, 1226.
prisoners from, **16**. 671-674; sent to Halifax from, **11**. 370; sent to N. C., **14**. 25, 26; sent to St. Augustine, **15**. 392; sent to Salisbury, **10**. 830-1; **11**. 370; **13**. 837, 840, 930; sent to for trial, **10**. 3.
products of, **2**. 232.
proposed immigration from Liege, **3**. 10; settlement by Wragg, **4**. 213; settlements discussed, **4**. 257, 258-259.
proposes to Va. to divide N. C. between them, **2**. viii.
Proprietors cannot get justice in, **3**. 12; on proposed surrender of, **2**. 721-3; ordered to repeal church acts, **1**. 643; to on law against collection of foreign debts, **2**. 836-837.
protects N. C. rioters, **5**. xxxiv.
Prov. Cong. asks N. C. for troops, **10**. 335; commissions officers, **10**. 320; letter to from Rowan Co., **10**. 336; proceedings in matter of Dunn and Boote, **10**. 305-6, 334, 339.
provisions for defense of, **2**. 191-192; for prisoners, **14**. 551.
public accounts methods praised, **8**. 318.
public bills of credit discussed, **5**. 378-380, 391-393.
publishes report on exports, **18**. 798;
quit rents in, **3**. 481; **4**. 1097; due to McCulloh, **5**. 626, 629.
quota, **19**. 946; of public debt, **16**. 413, 415, 429, 760, 771, 890, 929; **17**. 58, 60, 528; of revenue, **14**. 307; to sink Cont. currency, **15**.

401; to U. S., **18**. 704, 780; value of, **15**. 660.
raises troops, **22**. 516, 517.
Randolph on affairs of, **1**. 545-6.
ratifies Fed. Constn., **22**. 11.
rebellion in ment'd, **4**. 202.
rebels to be pardoned, **1**. 382-3.
records of not separated from those of N. C., **11**. v.
recruits in N. C., **10**. 48, 101; **11**. xiv; to Sumter from, **15**. 256.
refugees from join Sumter, **15**. 266; not to be drafted, **24**. 372.
refuses to take Ga. money, **13**. 69.
registers of births, &c., to be kept, **2**. 877-8.
regular troops for defense of, **5**. 744.
regulated by Br., **14**. 867.
regulators flee to, **9**. 20.
reinforcements arrive in, **15**. 185.
religious refugees in, **1**. 639.
rent roll bill condemned, **11**. 59-60.
rent roll improved, **4**. 1113.
report of assembly on boundary, **5**. 490; on British troops in, **15**. 397; on defeat at Camden, **15**. 383-385; on employment of slaves as soldiers, **19**. 911-914; on finances of expedition to, **6**. 205; on garrison of Charleston, **15**. 398; on loans to U. S., **16**. 354, 355; on old emissions, **16**. 311; to on Spanish settlement, **17**. 16.
representation in C. C., **17**. 497, 556, 557, 576, 591; **18**. 488, 548, 552, 640, 641, 671, 709, 726, 754, 794.
resolve on entering lands in dispute, **12**. 248-9, 432.
results of King's Mtn. on, **15**. 240.
return of officers surrendered, **14**. 860.
revenues to be inspected, **4**. 1130.
revolts against British, **17**. 1017, 1018, 1019, 1020; from Proprietors, **2**. 374; **6**. iv.
revolution ment'd, **2**. 381, 382, 383, 420, 577, 619; influence on N. C., and cost to Proprietors, **2**. 722; Proprietors reply to loyal address of N. C. council, **2**. 490.
road to, **3**. 434-435; from Va. to, **3**. 489.
route of troops to considered, **13**. 252.
runaways try to escape to, **1**. 514.
St. John, land surveyor and quit rent inspector for, **11**. 1-3.
salary paid to ministers in, **2**. 872.
Sanford's exploration on coast, **1**. 118-139.
Saxby, receiver gen. of quit rents, **5**. 616, 617.
Scovilite campaign ment'd, **10**. 609-610.
seal for, **11**. 211.
Second Cont. regt., **17**. 1041.
security considered, **15**. 245.
sends agents to England, **2**. 448-449; ammunition to Tuscarora war, **1**. 871; delegates to Phila., **17**. 93; expedition to Cherokees, **2**. 255-60; laws to C. C., **17**. 537, 565; powder to Ga. and N. C., **11**. 271-2; troops against Cherokees, **5**. li; **6**. 517; **10**. 651, 652, 657, 659, 671, 679, 680, 681, 713, 745, 748, 751-752, 758-759, 787, 788, 860, 861, 882, 883; **11**. xvi; vessel to Va. to learn about Tuscarora war, **1**. 897.
separated from N. C., **1**. 772-3, 775-6, 799-800, 841.
settlers from at Cape Fear, **3**. 338; **4**. 306; from Barbadoes and New York, **1**. 221.
Shaftesbury on troubles in, **1**. 213-214.
share of sinking fund due from, **14**. 241-243.
sheriffs (N. C.) not to collect taxes in, **9**. 386, 389, 390, 442, 464, 465, 468, 475, 477, 478, 480, 583, 657.
should collect provisions, **22**. 914.
should make war on Cherokees, **6**. 61.
situation and condition, **3**. 10-11.
size, **3**. 432.
slave insurrections in, **2**. 394; imported from, **2**. xii.
smallpox in, **4**. 333.
Smith, gov., **1**. 390.
soil not so good as N. C., **2**. xiv.
soldiers for French war asked, **11**. 139; from enlisted in N. C. line, **16**. 612, 614, 615.
staple commodities of, **8**. 558, 559, 570; **11**. 225.
state of country, **2**. 224-226, 229-233.
statutes at large, reprints from, **2**. 863-83.
Stuart on public affairs in, **10**. 118.
subserviency of assembly in church matters, **1**. xxv.
successes in, **15**. 481, 495.
suffrage, **1**. 639; **2**. 903, 908.

supplies Catawbas with corn, **5**. 655; Southern Army, **16**. 929.
supplies to, **1**. 221; arrive in, **11**. 689; to be sent to troops in, **11**. 315.
supports rioters in Anson Co., **6**. 795-796.
surrenders N. C. tories, **14**. 150, 151.
surveys on the Waxhaw fields, **5**. 33.
Swiss imported from, **4**. 645, 687; not satisfied in, **4**. 157; taken to, **4**. 159-160.
takes Indian trade from Va., **1**. 691; part in Indian Congress at Augusta, **11**. 156, 170, 183, 199, 203.
tax on for forts, **5**. 471, 473.
taxes collected in by N. C. sheriffs, **23**. 908; raised in, **2**. 723.
Taylor to return to, **2**. 294.
term regulator from, **7**. xxi.
terms made by Va. with, **2**. 253; of surrender, &c., **2**. 384-386.
threatened, **10**. 495, 542; and defense provided, **15**. 24; by British, **10**. 379, 947, 1039; **13**. ix, 234-6; and aid to, **13**. 242-3, 245, 246, 249-50, 267, 270, 271, 338; by Creeks and Cherokees, **13**. 216-17; by Spaniards, **1**. 208-9; **4**. 271, 272; from Cuba, **4**. 633.
threatens people, **10**. 48.
throws off rule of Proprietors, **2**. vi-vii, ix; **9**. ix.
timber in, **2**. 233.
to appoint commissioners to lay off Carteret's share of C., **11**. 76.
to be lenient to tories, **16**. 941.
to build fort on Tennessee, **5**. 610.
to furnish money, **18**. 811.
to have a separate assembly, **1**. 380-381.
to help against St. Augustine, **13**. 68; in reduction of East Florida, **13**. 279.
to hold conference with Indians, **6**. 974-976.
to pay N. C. troops, **14**. 99, 105.
to propose impost and influence on N. C., **17**. 99.
to raise troops, **10**. 455; in N. C. against Spaniards, **4**. 633.
to return captured tories, **14**. 319.
to take land from Ga., **6**. 778.
to treat with Indians, **22**. 552, 553, 582.
tories in, **16**. 569, 572; not to be taken from into N. C., **14**. 868; insurrection suppressed in, **11**. 264-5, 267, 273; organized in, **15**. 263-264; **22**. 185; suffer in, **16**. 948, 951.
trade, **4**. 258, 933, 939; **5**. xliii; diverted to, **7**. 695-696; returns to be in rice, **1**. 853; with, **6**. 968, 969; with Cherokees, **10**. 658; **11**. 196, 205; from Beaufort, **11**. 633; inconsiderable, **9**. 1148; with Indians, **11**. 223.
traders killed by Creeks, **5**. lii.
treatment of N. C. by, **13**. 246; **22**. 767.
treaty of Glen with Indians discussed, **5**. 435-436; with Cherokees, **21**. 448, 456, 458, 460, 463, 490, 497, 502, 507, 509, 515, 523, 527-529, 544, 545, 569; **22**. 918; at hard labor, **7**. 851-855.
troops against Cherokees, **5**. liv; come up from, **2**. 53; **10**. 129; expected, **2**. 72; from N. C. enlist under, **15**. 683, 717; go south, **14**. 763; go with Dunbar, **5**. 430, 433-434; in N. C., **16**. iv; in So. campaign, **14**. 705; in Va., **5**. 129; march against Cherokees, **6**. 258; to aid of from N. C., **13**. x, xi, xii; needed in, **2**. 421; N. C. troops ordered north from, **11**. 704, 705, 707-708, 710; not wanted for, **5**. 792; provided against Cherokees, **6**. 314, 612; raised for aid of, **15**. 736; raised in, **10**. 605; for Ga. in, **11**. 446; return from, **15**. 404; sent to, **5**. xxix-xxx, li; **10**. xxxix, xl; **13**. 224, 629; **14**. v, vii, x, xi, 4-5, 26; **16**. xi; against tories, **10**. xi, xii; to Charleston, **15**. 745; to be raised, **4**. 674; **5**. xxviii; for defense of, **10**. 315; **18**. 816, 817; **22**. 753; for French war, **6**. 325; **11**. 141; to be sent to, **2**. 394; **24**. 405; to join Washington, **11**. 374; transferred to from N. C. battalions, **11**. 409; wanted for French war, **6**. 594; wanted from, **5**. 751.
trouble in, **1**. 212-14, 220-2; **11**. 30; from patents of, **5**. 331; to furnish supplies to, **1**. 891; with Sir J. Yeamans, **1**. 212-213, 214, 220-222.
truce with tories, **16**. ix, x.
Tuscaroras make incursions into, **11**. 10-16, 23-25.
Tynte, gov., and instructions to, **1**. 694-6.

unfaithful to its promises to N. C. troops, **11**. 431-2.
use of name South Carolina, **1**. xxiv.
validity of laws, **3**. 350.
votes not to close Miss., **22**. 901.
wagons lost on expedition to, **13**. 990.
wants duty, **16**. 886; to buy cannon, **19**. 306, 308.
war in, **2**. 187; **17**. 1040-1041.
weak and tory, **11**. xii.
wealth of, **2**. 233.
West made governor, **1**. 177-8.
Whitfield in, **6**. 1060.
will contribute to post, **6**. 1058.
Woodward to Yeamans on, **1**. 208-209.
Wragg suspended from council, **5**. 958, 960.
Yeamans colony does not go to, **1**. x.
South Carolina, the, vessel, **2**. 22.
South Carolina artillery, at Charleston, **15**. 398.
South Carolina boundary, **3**. 355, 435; **4**. 17, 339, 340, 445; **5**. 171; **6**. 878, 967-968; **7**. 159, 197, 290; **8**. 162, 165, 275; **9**. 279, 310, 1021; **17**. 578; **18**. 675-6, 741; **20**. 762; **22**. 129; **24**. 962.
Abercrombie on, **11**. 26-27.
account of, **6**. 609-611; of survey reported, **4**. 281-283.
agreements on, **5**. 374-5.
allowance of S. C. commissioners considered, **4**. 327, 328.
amount of lands thrown into by survey, **9**. 369.
and Board of Trade, **8**. 628, 629.
assembly refuses to bear expenses of survey, **9**. 77, 220; to Martin on injustice of proposed line to N. C., **9**. 211-212.
bill on, **19**. 561, 568, 569-570, 666; to appt. comr's on, **19**. 429, 430, 449, 547, 768, 789; to extend, **18**. 84, 260, 314, 319, 323, 376-377; **21**. 314, 322, 346, 365, 654-5, 676.
Boone to Board of Trade on, **11**. 207-208.
Bull to Board of Trade on, **11**. 227-228; to Dartmouth with petition on troubles from, **11**. 248-254.
causes confusion on frontiers, **5**. 762; troubles over quit rents, **11**. 113-114; trouble in Tryon Co., **9**. 56, 57.
changes discussed by Dobbs, **5**. 148; wanted, **5**. 331.
claims and costs of survey, **9**. 302; of S. C., **6**. 719.
Clayton paid for work on, **5**. 997.
commissioners asked for, **3**. 336; and proceedings, **5**. 374-375.
cost, **3**. 154; **4**. 178, 267.
defined, **23**. 978-9.
difficulty in collecting taxes due to, **9**. 803.
discussed, **2**. vii-viii; **3**. 398-9, 487; **4**. 27, 28, 29; **5**. 155-6, 574, 641-2, 749; **6**. 46-47, 57-58, 754; **17**. 37; **19**. 497, 725-726; by Board of Trade, **5**. 415-416; by council, **5**. 490-1; by Dobbs, **5**. 358-9.
disputes over, **2**. 63; **7**. 27; **9**. xix, xx; with Ga., **17**. 465-6.
disturbances over, **5**. 951.
Dobbs's letter on ment'd, **5**. 809.
documents on ment'd, **5**. 485.
draft of instructions for survey, **3**. 84.
draft of sent to Eng., **9**. 637-8, 688, 695.
estimates of survey mentioned, **4**. 248.
expenses of survey not paid, **9**. 508-9.
extended and disputes arising from, **7**. 861, 862, 865, 876-877, 879-880.
Farye to Bd. of Trade on letters of Johnson, **11**. 25-26.
Glen's conduct on discussed, **5**. 440-441.
Hillsborough on, **9**. 276.
instructions on, **6**. 1054; **7**. 142; **8**. 611-12; **9**. 11; to Boone on survey, **11**. 152-3, 154; to governor on, **11**. 233-235.
Johnson to Board of Trade on, **3**. 51.
Johnston on history of survey, **4**. 294-296.
land grant matter to be settled, **10**. 91.
letters of Burrington and Johnson on, **11**. 18-21, 22, 25, 25-26.
line agreed on, **3**. 124, 125; needed, **8**. 22, 26; to be run, **3**. 115.
map of, **11**. facing 80.
Martin on, **9**. 312-13; on delay in survey, **9**. 299-300; to assembly on, **9**. 191, 192; demanding pay for survey and answer, **9**. 562, 563, 564; to Hillsborough against reported line, **9**. 48-50.
memorial on ment'd, **5**. 483.

Montagu to Hillsborough on with report on same, **11**. 221-227, 230; to Tryon, **11**. 220-1.
Moultrie on, **18**. 675-6, 741.
no lands to be surveyed near line, **5**. 827.
papers on ment'd, **5**. 481.
payment for, **9**. 649.
petition for pay for surveyors, **4**. 270; and action on same, **11**. 27-29.
proceedings on, **4**. 249; **5**. 380-7; of commissioners to be inquired into, **5**. 1105.
proposed one discussed, **8**. 5, 10.
quit rents refused because of, **5**. 938-9.
reasons for refusal to pay half to be shown, **9**. 578.
report of S. C. assembly laid before N. C. assembly, **4**. 100; on pretensions of that State on, **11**. 127-32, 147-52; on, **5**. 786; **6**. 1037-8, 1050; and papers on, **5**. 372-93; by S. C. council and Tryon's proposed line discussed, **8**. 554-74; sent to Board of Trade, **5**. 784; wanted, **4**. 201.
representation on by council, **6**. 770, 775-796.
results of quarrel over, **7**. 861-862.
riots because of, **6**. 798.
salaries due for survey, **9**. 654, 655.
settlement needed, **5**. 588.
should be extended, **8**. 17; fixed, **17**. 552.
suggested line, **5**. 357.
survey begun, **4**. 9.
surveyed, **7**. 108; in part, **4**. viii.
summary of dispute, **5**. xxxv-xxxix.
temporary line, **7**. 11; to be marked, **6**. 1003; to be settled; **2**. 448; **6**. 1024; **10**. 1005.
troubles from, **5**. 739-40, 964; **6**. 7; **9**. 1175; and report on, **9**. 501, 502, 508; over land grants and land troubles from, **9**. 1256-1263.
Tryon on necessity of settling, **8**. 210; to assembly on and answer, **8**. 415, 442-443, 457-458, 468; reports on temporary line, **7**. 154-156; received by Dobbs, **5**. 353.
South Carolina currency, **22**. 769.
South Carolina Gazette, **10**. 10; **20**. 789; **23**. 201; **24**. 265.
South Carolina Gazette and Country Journal, reprint from, **9**. 1282-1285.
South Carolina regiment, tory, **22**. 190, 191.
South Catawba River, Indian depredations on, **5**. xlix.
South Dividing Creek, **4**. 64, 68; **6**. 1236, 1292.
inspection on, **24**. 581; **25**. 313, 379.
South East Branch Cape Fear River, **22**. 149.
South Fork Creek, **5**. 148.
settlements on, **5**. 1150.
South Fork of Catawba River, **8**. 756; **14**. 865; **22**. 138; **24**. 472.
act on fish in, **23**. 681, 819; **25**. 504-5.
bill on fish, **20**. 170, 180, 181, 355.
Indian depredations on, **5**. 694, 696.
South Fork of Oconee River, **17**. 583.
South Fork of Yadkin River, act on fish in, **23**. 681, 819; **25**. 504-5.
petition from and answer, **10**. 317-318.
South Hico River, **5**. 1204.
South Lancaster, **1**. 454; **22**. 293; **23**. 2; **25**. 121.
South Lanchester, lands deserted in, **1**. 186.
South Molton St. (London (?)), **22**. 616.
South Parish of Chowan, **23**. 334.
act to establish, **23**. 100; **25**. 182-3.
name changed to St. Andrew's Parish, **25**. 213.
South Quay (Key), Va., **10**. 687, **11**. 474, 633, 635; **12**. 821; **13**. 14, 17, 355; **14**. 126, 645; **15**. 21.
British at, **15**. xiii, 137, 560, 571; threaten, **14**. 102; **15**. 519.
conference at, **2**. 22, 25, 79.
galleys built at, **11**. 314, 315, 442; **22**. 750.
goods sent to, **14**. 592; to be sent to, **1**. 895, 896.
Hyde's fleet to rendezvous at, **1**. 761.
iron brought from, **15**. 345.
on line of transportation, **13**. iv, 33, 39, 41, 43, 44, 46, 51, 52, 59, 60, 132, 134, 169, 177, 253, 292, 324, 330, 398.
prisoners sent to, **1**. 891.
tobacco destroyed at, **22**. 556.
South River, **5**. 812, 1210; **6**. 637; **13**. 313, 315; **23**. 589, 687; **25**. 38.
South Sea, **17**. 99.
boundary of C., **2**. 418.
investments in stock of, **2**. 384, 385.
pirates from, **1**. 468.

South Shore, 2. 261, 265, 470; **3.** 399; **22.** 292, 296; **23.** 100; **25.** 182.
encouragement of Urmston, **1.** 766.
Urmston to preach on, **1.** 831.
South Shore of Chowan, 2. 87.
South Street, Wilmington, 24. 725.
South Washington, 15. 786.
inspection at, **24.** 581.
South West Branch of New River, 22. 337.
South West Bridge, 23. 631.
South West Bridge, Craven Co., **14.** 91.
South West Company District, report on, **22.** 337.
South West Creek, 6. 768, 923; **22.** 323; **23.** 222, 248, 630.
South West District of New Hanover Co., act on roads, **23.** 220.
South West Parish of Chowan, 23. 6, 7, 334.
act on vestry, **25.** 166-8; to make distinct parish, **23.** 100; **25.** 182-3.
established, **2.** 207.
vestrymen of, **2.** 208.
South West Parish of Pasquotank, 23. 6, 7.
act to elect vestry, **23.** 150.
established, **2.** 207-208.
vestrymen of, **2.** 208-9; **23.** 7.
South Yadkin River, 5. 357.
fort on, **5.** 497; **25.** 331.
Southall, Capt., Scott to on capture of Norfolk, **11.** 353.
Southall, Furney, army rank, **16.** 1162.
Southall, John, army pay, **17.** 248.
Southall, Stephn., army rank, **13.** 481; **16.** 1159.
lieut., **13.** 505.
Southampton, Earl of, at council, **1.** 73.
orders to, **1.** 75.
Southampton, T., signs revocation of Heath patent, **1.** 43.
Southampton, 8. 595.
Southampton Co., Va., appoints Clifton as recruiting officer, **11.** 783.
tithables in 1756, **5.** 565.
Southampton C. H., Va., 22. 542.
skirmish near, **15.** 138.
Southampton Frigate, the, 15. 121.
Southard, John, pensioner, **22.** 85.
Souther, P. W., 22. 459.
Southerland. See Sutherland.
Southerland, ——, moderator, **5.** 1182.
Southerland, Alexr., 2. 809.
Southerland, Daniel, 20. 375.
army record, **13.** 479.
town'coms'r, **24.** 180.
witness, **10.** 926.
Southerland, Earl of, at council, **2.** 680, 732.
Southerland, George, army pay, **17.** 247.
army rank, **16.** 1152.
Southerland, Jas., army rank, **16.** 1159.
Southerland, John, army pay, **17.** 246.
Southerland, R., 7. 926; **10.** 792.
Southerland (Sutherland), Ransom, advances money for troops, **10.** 624.
allowance to for bills burned, **10.** 1002.
colonel, **10.** 206.
commissary, **10.** 536.
deposition on regulators, **7.** 799, 819.
in assembly, **21.** 738, 751, 782, 788, 872, 873, 876, 891, 897, 898, 927, 930, 931, 937, 939, 941, 946, 950, 964, 965, 970, 980, 999, 1006, 1012, 1013, 1015, 1021, 1032, 1055.
in Prov. Cong., **10.** 165, 168, 172, 500, 505, 523.
on com. Prov. Cong., **10.** 505, 543.
petition, **19.** 518, 520, 524.
protests against regulators, **8.** 273-274.
recommended for register, **11.** 426, 430.
resigns as commissary, **10.** 971.
takes illegal fees, **7.** 775.
to council of safety on excesses of tories, **10.** 663-665.
Southerland, Robert, building coms'r, **24.** 642.
Southerland, Robt., in militia, **22.** 419.
Southerland, Samuel, asks leave to import salt, **10.** 264.
Southerland, Wm., army rank, **16.** 1152.
Southerland, Wm., rights proved, **4.** 709.
Southern, Simeon, wounded and prisoner, **15.** 169; **22.** 523.
Southern, Wm., Sr., pensioner, **22.** 85.
Southern Army, 14. 519, 563, 578, 595, 610, 638, 658, 699, 705, 706, 761, 762, 792, 832; **15.** 3, 81, 113, 291, 310, 323, 351, 482, 508, 629, 634, 655, 656, 659; **16.** 8, 221, 224, 236, 238, 239, 240, 246, 456, 492, 495, 498, 502, 507, 510, 511, 515, 522, 533, 536, 539, 543, 573, 584, 615, 624, 633, 643, 650, 651, 654, 655,

667, 676, 678, 679, 685, 688, 691, 692, 695, 702, 723, 724, 733, 762, 788, 930, 931; **17**. 831, 833, 834, 835, 836, 923, 926, 928, 939, 940, 1048; **18**. 542; **19**. 185, 310, 322, 336, 674, 866, 874, 914, 979, 996; **20**. 54, 436; **21**. 147, 152; **22**. 107, 527, 528, 559, 579, 731, 1038, 1040; **24**. 396, 405, 419.
act to draft militia for, **24**. 404-5.
bill to reinforce criticized, **17**. 839-40, 843, 844.
clothing for, **15**. 182-183; delayed, **16**. 624; and embezzled, **16**. 629.
condition, **15**. 173, 181, 182-183, 185.
corps unfit for duty, **15**. 185.
council of war on movements of, **15**. 160-161.
draws supplies from N. C., **16**. 341.
Gates to organize, **14**. 852.
Greene on needs of, **16**. 677-80, 683; succeeds to command of, **14**. 721.
horses and wagons of, **16**. 675.
live stock for, **17**. 758, 759.
losses at Eutaw Springs, **15**. 637-638.
movements traced, **16**. iii-iv.
needs supplies, **16**. 463.
pay for supplies to wanted, **17**. 68.
provisions for, **24**. 419; needed, **14**. 518.
reorganized, **16**. 392-393, 649-651; by Greene, and its condition, **16**. iii.
return of, **15**. 162; of officers surrendered in, **14**. 860.
successes in S. C., **16**. 631.
supplied in provisions by S. C. and Ga., **16**. 929.
supplies for, **16**. 890; considered, **22**. 579-80; needed for, **16**. 448-449.
support discussed, **16**. 702-705, 707-708, 711-712, 718-719, 725, 742, 788-789.
transferred from Gates to Greene, **15**. 170.
victory over, **15**. 268-273.
Southern Army (Br.), Br. to send reinforcements to, **15**. 556.
Southern Branch, canal from, **18**. 506.
Southern Campaign, discussed, **14**. 496-499, 499-500, 501-502, 503-504, 507-508, 517-519.
expenses paid in part by N. C., **14**. 501.
Southern Circuit Court, clerk, **23**. 254.
Southern Colonies, **17**. 996, 1036; **25**. 232.
British expedition against, **10**. 364; troops to be sent to, **10**. 406.
conquest considered, **15**. 274; **17**. 990, 1016.
Cornwallis commands in, **15**. 263.
defense of considered, **5**. 750-2, 753, 754-5, 786-787, 790, 805-7, 809, 830-1; plan for defense of, **5**. xxviii-xxx.
expedition against, **10**. 938, 947.
in danger of invasion by French, **5**. 609.
Indians threaten in rear, **22**. 743; used against, **10**. 714-715.
Pitt to governors on French war, **5**. 743-744.
threatened, **10**. 814-815.
tories try to secure their property in, **22**. 229.
Southern Congress on Indian affairs, journal of, **11**. 156-207.
Southern Counties of N. C., opposed to northern, **9**. 1053.
See also Struggle for Representation.
Southern Department, **11**. v; **14**. 5, 260, 338, 352, 435, 452, 454, 500, 527, 538, 539, 563, 592, 625, 629, 636, 673, 707, 761, 767; **15**. xiv, 2, 10, 18, 41, 58, 68, 232, 347, 375, 417, 554, 629, 649, 751; **16**. 164, 274, 276, 305, 341, 445, 446, 456, 647, 661, 662, 674, 675, 725, 727, 728, 729, 740; **17**. 31, 97, 433, 668, 671, 839; **18**. 51, 710, 756, 760, 762; **19**. 533, 534, 631, 866, 867, 870, 885, 979, 980, 982; **20**. 432, 783; **21**. 69, 348, 438, 520, 571; **22**. 129, 624, 942, 955, 983, 1038; **24**. 344, 345, 680.
cartel for exchange of prisoners, **15**. 451-452.
exchange of prisoners in, **16**. 927.
Greene put at head of, **15**. xiv.
Lee commands cavalry in, **15**. 665.
Southern District, **22**. 722.
Southern District (of North Carolina), **20**. 315.
Southern Gazette, Timothy's reprint from, **5**. 372-374.
Southern Indians, **17**. 77, 81; **18**. 590, 591, 592, 758; **20**. 286; **21**. 466, 494, 497, 506, 509, 562, 563, 569.
committee on treaty with, **20**. 551, 561, 575-576, 582-583, 589.

fear of war with, **11**. 299, 301, 302, 303.
invited to join No. Indians, **17**. 109.
letter on, **17**. 274.
no treaty with, **17**. 98.
reports on treaties with, **18**. 462-5, 467, 476, 483.
threaten Tenn., **20**. 708, 711.
treaty to be made with, **17**. 335, 429-30, 433, 434, 442, 472, 473-475, 479, 485, 487, 489-490, 493, 510-511, 514-15, 516-18, 522, 523-525, 536-537, 538, 558-559, 566-567, 568, 578-80, 582-586, 607.
Southern States, 8. 773; **14**. 502, 504, 513, 528, 631, 633, 634; **15**. 4, 99, 100, 176, 320, 334, 340, 458, 537, 546, 598, 657; **16**. viii, 8, 25, 276, 285, 325, 350, 437, 442, 445, 456, 534, 725, 754, 940, 995; **17**. 30, 80, 94, 112, 174, 433, 453, 788; **18**. 747, 752; **19**. 240, 712, 858, 899, 979, 980, 982, 994; **20**. iv, 713, 735, 736, 778, 779; **21**. 521, 878, 879, 1083; **22**. 787, 799, 812, 902, 950, 954, 959, 963; **24**. 255, 262.
aid to, **14**. 326; needed, **14**. 15.
and federal capital, **16**. 908, 910.
arms and am. in, **17**. 103-104; to be sent to, **14**. 149.
British threaten, **22**. 967.
condition of gov't in, **15**. 577.
dangers to from European intervention, **15**. 770, 773-775.
distressed condition, **15**. 32.
feeling towards Cornwallis, **16**. 440.
Gates to defend, **14**. 852.
Howe proposes expedition against, **10**. 898-899, 902-907, 908-910, 912.
invaded, **14**. iii.
march of N. C. troops to proposed, **14**. 153, 154.
militia to continue in service of, **14**. 286, 288.
not conquered, **16**. 773.
oppose Spanish treaty, **22**. 992; trade with Eng., **16**. 884.
post route continued in, **16**. 736.
reports to C. C. on condition of, **15**. 31-4.
resolution of Cont. Cong. on defense of, **13**. 796.
secondary in importance to N. Y., **15**. 774.
threatened invasion of, **14**. 86-87, 129, 190, 206, 240, 267, 286, 359.
troops for, **14**. 223, 225; asked for defense of, **14**. 1; to be sent to aid of, **14**. 298, 333.
troops from superior to northern, **10**. 817.
Southier, Mr., 22. 500.
allowed £50 for map, **8**. 369, 390, 438, 449, 452.
Southward, borough of, England, 9. 1092, 1093.
Southward Plantations, 1. 117.
See also Albemarle Co.
Southwell, Edward, sends address against Everard and his reports, to Board of Trade, **3**. 25, 26.
signs orders in council, **2**. 680, 732.
Southwell, Robert, on illicit trade to Amer., **1**. 439-440.
Southwell, Seth. See Sothel, Seth.
Southwest, 26. iii.
Southwest side of Ohio River, reserved for soldiers, **16**. 892.
Southwick, 1. 975.
Sovereign, transport, **10**. 733.
Sowall, Robt., in militia, **22**. 164.
Sowdon, John, to Newcastle on a proposed charter, **3**. 498-499.
Sowel. See Seawell, Sowall.
Sowel, Charles, regulator, **8**. 80.
Sowel, John, regulator, **8**. 80.
Sowel, Richd., quit rents of, **22**. 243.
Sowel, Samuel, regulator, **8**. 80.
Sowel, Wm., regulator, **8**. 80.
Sowel, Zadock, army rank, **16**. 1157.
Sowell, Isaac, army rank, **16**. 1166.
Sowell, James, army pay, **17**. 248.
Sowell, Lewis, in militia, **22**. 494.
Sowell, Lewis, regulator, **8**. 80.
Sowell, Wm., army rank, **16**. 1165.
Sowl (Sowle), Benj., land grants to stopped, **4**. 59, 60, 217, 218.
Sowl, Jos., land grant to, **4**. 57.
Sowle, Edward, land grant to, **4**. 62.
Spach, Adam, preaching in house of, **5**. 1150.
Spaekman, Henrietta, witness, **5**. 772.
Spaight. See Speight, Spieght, Spight, Spite, Spreight.
Spaight, Cato, outlawed and killed, **22**. 833.
Spaight, John, takes out land warrant, **6**. 341.
Spaight (Speight), Richard, 16. 598; **24**. 848, 849.
a J. P., **5**. 813; **6**. 775.
allowance to, **22**. 816, 826, 828, 833, 834, 865, 866.
answer to charges ment'd, **6**. 625.

arrears of salary due, **9**. 655.
attacked by assembly, **6**. 251.
attorney for Selwyn, **5**. 773-775, 776, 777, 778; **7**. 17.
brings message to assembly, **5**. 715, 722.
brought to N. C., **5**. viii-ix.
charges against appointment as paymaster and answer, **6**. 284-285; against for whipping Core, **6**. 412, 414, 417.
claims allowed, **5**. 983, 984; **6**. 214, 742; for expenses discussed, **5**. 1096, 1098-1100.
clerk of council, **5**. 213, 515, 516, 517, 520, 542; of crown, **5**. 437, 441, 445.
commission as member of council, **11**. 126, 127.
commissioned secretary and clerk of the crown, **5**. 442; **6**. 711-712.
coms'r on building, **25**. 375, 401, 462.
dead, **6**. 968, 978, 992, 1004; **7**. 17, 247, 545; **11**. 210, 211.
deposition, **6**. 275-276.
frauds as secretary, **6**. 412.
guardian for son, **6**. 1042-3.
in council, **5**. 817, 818, 869-889, 991-998, 1012-1039; **6**. 75-78, 79-81, 82-85, 85-95, 115-132, 172-184, 330-340, 342-345, 345-362, 420-427, 439-446, 460-469, 512-513, 629-634, 638-661, 758-764, 767-771, 772-799, 838-892; **7**. 137.
land warrant to, **5**. 816.
marriage, **5**. 647.
money due to, **8**. 163; repaid to, **5**. 1035, 1037.
on com. of council, **5**. 823, 829, 871, 1017, 1038, 1044, 1101; **6**. 87, 89, 119, 120, 138, 350, 363, 375, 465, 507, 643, 672, 810, 819, 824, 840, 842, 894, 900*b*.
patent dated back, **6**. 797.
paymaster of forces, **6**. 269, 272, 273, 410.
payments to, **5**. 796.
pays bills, **5**. 984; Dunlop, **5**. 794; Grainger, **5**. 799; out public money, **5**. 801, 803, 804.
petition, **6**. 332.
presents bill on navigation, **6**. 881; memorial of Selwyn, **6**. 797-798.
private secretary of Dobbs; **5**. 570; **6**. 285.
produces accounts, **5**. 971.
recommended for council, **5**. 807.
reports on accounts, **5**. 801-802; on justices, **5**. 820; on land patents, **5**. 829; on public claims, **6**. 209-15.
secretary, **5**. 634, 962, 963, 1085; **6**. 52; and clerk of crown, **6**. 620.
secretary of state, **5**. 782; **6**. 66, 67, 289.
signs com. of Rieussett, **5**. 930; documents for Dobbs, **6**. 773, 798-799; memorial on S. C. line, **6**. 779.
takes bond from co. clerk, **5**. 611.
to Board of Trade on resolutions against him, **6**. 268-276.
to pay troops, **5**. 887; war claims, **5**. 922-923.
transferred to council, **5**. 989.
treasurer, **6**. 121, 143, 144.
whips Core, **6**. 303.

Spaight, Mrs. Richard, slandered, **6**. 271, 275-276.

Spaight (Speight, Spate), Richard Dobbs, 17. 181; **20**. 681.
accepts as delegate to C. C., **19**. 206.
accounts as C. C. delegate, **20**. 47, 52, 75.
act to confirm land titles to, **24**. 848-9; to free slaves of, **24**. 930.
and artillery, **20**. 280, 289, 432.
and Fed. Conv., **20**. 682, 683, 706, 710.
asks for docking of entails, **16**. 51, 52.
bill to confirm lands to, **18**. 77, 160, 176, 310, 366, 383, 392, 396, 400.
chairman com. of whole, **18**. 194, 195, 213, 425, 428; on army accounts frauds, **18**. 23, 250.
character, **17**. 169.
church warden, **25**. 35.
declines reëlection to C. C., **17**. 338; **20**. 49.
guardians for, **6**. 1043.
in assembly, **13**. 914, 928, 1000; **16**. 2, 29, 52, 90, 130; **17**. 264, 266, 809, 878, 879, 891, 892, 896, 897, 906, 936, 942, 948, 953, 963; **18**. 226, 228, 229, 269, 271, 276, 278, 284, 308, 310, 311, 312, 317, 332, 341, 344, 345, 346, 350, 360, 361, 362, 375, 376, 389, 429, 440, 443, 445, 469, 470, 471, 477, 478; **19**. 18, 20, 34, 87, 135, 139, 149, 179, 234, 235, 236, 239, 249, 264, 272, 295, 299, 300, 319, 324, 333, 334, 392, 393, 396; **20**. 119, 151, 152, 157, 165, 173, 180, 192, 193,

194, 205, 209, 211, 212, 216, 220, 227, 229, 239, 240, 245, 246, 248, 274, 275, 276, 285, 287, 288, 339, 340, 350, 370, 373, 387, 417, 429, 434.
in C. C., **16**. 90, 783; **17**. 111, 112, 139, 143; **18**. 538; **19**. 57, 136, 152, 245, 269, 333, 473, 508, 509, 582, 583, 819.
in Fed. Conv., **18**. iii, 462; **20**. iii, 606, 607, 608, 628, 764.
in conv. 1788, **22**. 1, 4, 7, 9, 25, 28, 29, 31, 32.
leader, **18**. iv.
letter ment'd, **19**. 809; on arms, **20**. 243, 254.
manager of lottery, **24**. 821.
Marbois to on debt to Martinico, **17**. 450-451, 465.
Martin to on public affairs, **17**. 49; on trade and lands, **16**. 919-20; on trade and public affairs, **16**. 729-730.
memorial considered, **17**. 364, 379.
Morris to on settlement of N. C. account, **17**. 163.
movements, **17**. 473, 477.
needs money, **20**. 666.
nom. for gov., **20**. 210, 389; for major, **17**. 858, 952, 954; for U. S. Senator, **21**. 253, 273, 614, 627.
officer, **18**. 450, 459.
on com. of assembly, **16**. 38, 43, 54, 60, 130; **17**. 811, 812, 813, 833, 852, 895, 896, 923, 926, 929, 948, 974; **18**. 8, 51, 52, 58, 64, 80, 127, 177, 217, 230, 235, 278, 280, 282, 283, 290, 296, 309, 310, 313, 348, 395, 425, 454, 455, 456.
on com. C. C., **17**. 119.
petition on election, **20**. 10, 18; on palace ground, **20**. 204, 237-238.
reports on his accounts, **17**. 337.
resigns from C. C., **17**. 272, 504-505.
school trustee, **24**. 607, 754.
signs acts as S. H. C., **24**. 782.
speaker H. C., **17**. 266, 426, 631; **20**. 116.
to Caswell on money and Fed. Conv., and answer, **20**. 723-724, 729, 733, 752-753, 777-779; on public affairs and answer, **17**. 433, 464-466, 503, 504-505.
to Johnston resigning as lt. col., **21**. 529.
to Martin on public affairs and answer, **17**. 17-19, 20-21, 24, 28, 65-66, 78-80, 88-89, 92-93, 112, 172-175, 186-188, 273, 274, 606-607.
to Nash on movements of British, **15**. 9-10.
trustee Univ., **25**. 22.
votes for Caswell and delegate to C. C., **16**. 959.
Spaight, Robert (?), dead, **7**. 247.
See also Spaight, Richard.
Spaight, Samuel, petitions for change of name, **19**. 762.
Spaight, Wm., land patent to, **6**. 341.
Spain, Augustine, resigns as J. P., **18**. 205, 430, 439.
roll of militia of, **17**. 1057-1058.
Spain, Augustus, army rank, **16**. 1156.
Spain, Austin, army pay, **17**. 249.
Spain, Claiborne, pensioner, **22**. 85.
Spain, Epps, army pay, **17**. 249.
army rank, **13**. 515; **16**. 1153.
Spain, Thos., army rank, **16**. 1158.
Spain, Thos., army rank, **16**. 1165.
Spain, Thos., in army, **13**. 510.
Spain, Thos., pensioner, **22**. 84.
Spain, Wm., army pay, **17**. 249.
army rank, **13**. 518; **16**. 1158.
pensioner, **22**. 84.
Spain and the Spaniards, **3**. 10; **4**. 1166; **5**. 757; **6**. 785; **7**. 248; **8**. 474; **9**. 10, 33, 34, 321, 829; **10**. 343, 447, 836; **11**. 185, 204; **12**. 472; **14**. 808, 809; **15**. 105; **16**. 622, 623; **17**. 187; **18**. 500, 539; **20**. vii, 606, 640, 653, 677, 721, 722, 772; **21**. 437, 443, 454, 464, 465, 466, 469, 539, 559, 1045; **22**. 261, 286, 739, 985; **23**. 151, 229, 292.
account of seizure of the John and Elizabeth by, **9**. 353-354.
act to arm colony against, **25**. 232-3.
action of privateers towards, **5**. 757.
active against Engd., **13**. 264.
against Americans, **22**. 494.
aided in N. C., **4**. 1303.
America to be divided with, **5**. 221.
Americans take fort of, **17**. 524.
and Cherokee boundary, and movement to hold the South, **17**. 519.
and Indians, **17**. 83.
and navigation of Miss., **20**. 242.
and N. C. naval stores, **16**. 866, 895-6.
and silk culture, **5**. 574.
arms, &c., from, **13**. 588, 606.
assistance against ment'd, **4**. 583.
at St. Johns, **11**. 185.

at war with English, **8**. 537; **14**. 206.
attack coast, **4**. 922; on American possessions intended, **4**. 461; Cape Fear and Brunswick, **22**. iii-iv; Ocracoke and Beaufort, **22**. iii.
bill to apply slaves captured from to use of church, **6**. 466, 468, 501.
brought into quarrel of French, **6**. 975.
cannon imported from, **13**. 901; **14**. v.
capture Gibraltar, **17**. 630.
captures from, **23**. 535-7.
cited on confiscation, **15**. 203.
claims, **21**. v; that their territory is invaded, **2**. 764.
colonies exposed to, **1**. 547.
complaints ment'd, **5**. 934; of Johnston's action in matter of wrecks, **4**. 1309, 1310, 1311.
confer with Choctaws and Chickasaws, &c., **17**. 83, 84, 85, 86, 87, 92.
Creeks in protection of, **17**. 91-92.
cruelty of, **1**. 984.
danger to S. C. from, **3**. 11.
debauch Indians, **4**. 472.
declaration of war against, **2**. 333; **6**. 803; expected, **13**. 494; on England, **14**. 347.
debt to considered, **17**. 526.
defeated by Eng., **11**. 181.
delay treaty with Indians, **17**. 567.
differences over treaty with, **22**. 992.
direct trade with discussed, **6**. 1022, 1030.
do not arm Waccamaws, **2**. 252; sign treaty, **22**. 623.
encourage secession of West, **22**. 698.
English trade with, **2**. 628.
erect cross on Edisto, **1**. 132.
evacuate Fla. and La., **7**. 214.
expedition against St. Augustine, **2**. 904-5.
expenses of invasion of Cape Fear, **4**. 1018.
exports to allowed, **10**. 686.
fears of, **3**. 362-3.
flags of, **18**. 525, 526, 590, 594.
fleet of, **15**. 61; at Cape Francois, **16**. 332, 692; expected, **14**. 748; off Va. coast, **15**. 602; sails home, **13**. 354.
French cede N. O. and La. to, **6**. 1320.
friendly to U. S., **11**. 438; **14**. 204-205.
gold mines of, **2**. 351.
ground for trade with, **5**. xlvi.
have large sea force, **15**. 752.
have no influence with certain I., **7**. 282.
help Yemassees, **2**. 197.
in Wilmington, **14**. 623.
incite Indians, **18**. 605; **20**. 721-2.
incited by Gr. Br. against U. S., **17**. 109.
Indians as defense against, **1**. 706; to be won over to English, **6**. 1090; to be used against, **1**. 556, 845.
instigate massacres in S. C., **2**. 421.
insults to, **17**. 147.
intentions of, **3**. 9.
intrigues against House of, **5**. 220.
invade Beaufort, **22**. iv, 262, 263; N. C., **4**. xi; S. C., **2**. 486.
Johnston on appropriation for war with, **4**. 574, 575.
keep Indians poor, **2**. 251.
killed by Indians, **5**. 360.
know Lookout harbor, **5**. 572.
land forces at Sunbury, **14**. 697.
leanings to, **21**. 559, 561-562.
loan from, **16**. 756; **18**. 530, 531, 703; **20**. 784.
make prisoners of English, **1**. 207.
massacres by, **2**. 421, 423.
mediations refused, **14**. 201.
minister sent to, **17**. 187.
movements alarm Br., **15**. 317; to keep Americans up Miss. River, **17**. 519.
murder Huguenots, **2**. 763, 764.
mutiny among at Ocracock, **4**. 1306.
need of raising troops for war with, **4**, 552-553, 556; of trade with for salt, **5**. 317, 319.
negotiations on Miss. River, **22**. 899-902.
negroes not returned to S. C., **2**. 849.
no hostility against allowed, **1**. 379.
North Carolina troops in war against, **4**. x, xi.
not accepted as substitutes, **24**. 336.
occupy Florida, **3**. 10.
off Charleston, **15**. 374.
offences against in America, **5**. 785.
old fortifications of, **1**. 664.
opens ports to U. S., **11**. 352.
opposed to S. C., **2**. 177.
peace with, **4**. 918.
plunder Brunswick, **22**. 276.
prisoners, **22**. 262, 268, 289, 271, 272,

286, 838; in Wilmington, **6**. 799; sent to St. Augustine; **6**. 1106, 1107, 1176-1177, 1179; **22**. 268.
promise ammunition to Indians, **17**. 160.
propriety of surrendering La. to, **6**. 264.
protect runaways, **2**. 423.
ravage Bahamas, **1**. 633.
report on loan, **17**. 52-3; on possessions of, **6**. 605, 617, 618.
restitution to be made to, **4**. 1311.
rice exported to, **2**. 424, 425.
right to import salt from asked, **9**. 269, 270.
sail for Gibraltar, **9**. 263.
secret preparation against, **8**. 229-230.
seize Simpson's vessel, **9**. 1159.
settle at Muscle Shoals, **17**. 14, 16.
slaves stolen from, **3**. 362.
successful in W. I., **14**. 202.
take Galveston, **22**. 616; New Providence, **2**. 277.
talks from, **17**. 521.
Tenn. to turn to, **22**. 791, 792.
threaten N. Carolina, **1**. 208-9; Georgia, **4**. 271, 272, 633; S. C., **4**. 633.
to be asked not to sell arms to Indians, **2**. 189.
to be harassed from Port Royal, **3**. 9, 11.
to be removed from Miss., **6**. 974, 975.
to declare war on Gr. Br., **13**. 21, 224.
to remove beyond Miss., **11**. 181.
to take Portugal, **5**. 221.
tobacco sent to, **1**. 245.
trade with, **6**. 1320; **10**. 996; **11**. 331; discussed, **5**. 322, 323; **6**. 1033; in negroes, **1**. 150.
treatment of N. C. crew in Mexico, **9**. 179, 182.
treaty with, **18**. 724, 752; discussed, **18**. 718; with Eng., **16**. 868, 870, 895.
troops of in W. I., **11**. 44.
try to injure English, **2**. 231-2.
visit Cape Lookout, **6**. 1028.
war with, **5**. 1144-1145; **6**. 697-698; **22**. 982; reported, **22**. 675.
wish to limit western expansion of U. S., **15**. 57.
See also Spanish.
Spair, John, in assembly, **12**. 137.
Spalding. See Spaulding.
Spalding, Charles, asks relief from church tax, **9**. 95-96.
Spalding, Edward, army pay, **17**. 248.
Spalding, Henry, asks relief from church tax, **9**. 95-96.
Spalding, Henry, takes oath, **22**. 176.
Spalding, Luther, deposition ment'd, **22**. 10.
Span. See Spann.
Span (Spann), John, a J. P., **2**. 565, 570.
juror, **2**. 709.
land grant to, **4**. 344.
Spangenberg, August Gottlieb, buys land in N. C., **5**. 1145-1146.
diary of travels in N. C., **5**. 1-14.
director of Wachovia Society, **5**. 1149.
on his travels in N. C., **4**. 1311-14.
quoted on state of affairs, **8**. viii-ix.
returns to Europe, **5**. 1150.
visit, **5**. iii, x.
Spanish alarm, 1747-8, militia and other papers on, **22**. iii-iv, 261-286.
Spanish America, **6**. 838.
illegal trade with, **6**. 1021.
Spanish Company, **15**. 398.
Spanish Court, **4**. 1301, 1303, 1311.
Spanish friars, customs copied by Indians, **1**. 137.
Spanish gold, **2**. 334, 336, 338.
Spanish Indies, trade with, **1**. 541; **6**. 785.
Spanish Islands, proposition to seize and sell slaves in, **9**. 1173.
trade with discussed, **6**. 1034.
Spanish milled dollars, **18**. 621 639; **19**. 41; **24**. 34, 185, 255, 321, 345, 346, 347, 380, 381, 454, 456, 475, 485, 506, 526, 723, 748; **25**. 83, 88, 508.
Spanish oaks, **24**. 570.
Spanish officers, Martin's kindness to, **9**. 277.
Spanish pieces of eight, **25**. 142.
Spanish privateers, **5**. 316; **22**. 262.
at Cape Lookout, **5**. 598.
damages done by, **4**. 1301, 1306.
discover harbor at Cape Lookout, **5**. 159.
infest Ocacock, **22**. 403.
on coast, **5**. 345, 346.
wrecked and goods looked after, **5**. 37-38.
Spanish Plate Fleet, obstructed, **3**. 7.
passes near S. C., **3**. 11.
Spanish salt, **6**. 1030.

needed in N. C., **5**. 317.
permission to import asked, **9**. 132, 208, 209, 214, 215, 219.
Spanish settlements, 15. xiv.
prohibition on importations from, **5**. 319.
to be invaded, **15**. 297.
Spanish ships, ashore on N. C. coast, **4**. 1031.
Spanish sloop, blows up in Cape Fear, **4**. 891-2; **22**. 271.
Spanish snow, treatment of approved, **9**. 227.
Spanish trade, coveted by Europe, **2**. 635.
efforts to secure, **1**. 150.
frauds in, **1**. 245.
Spanish vessels, captured, **15**. 253.
Spanish war, declared, **6**. 708.
Dobbs to assembly on and answer, **6**. 803, 806, 813, 818; to Egremont on, **6**. 699-700.
Spanish West Indies, trade with, **10**. 707.
Spanish wines, importation of desired, **5**. 322.
Spanish wrecks, 4. 1225.
commissioners never report on, **4**. 1284; to sell goods from, **4**. 998, 1251, 1287.
public to receive ¼ from, **5**. 72.
reports on, **4**. 1300-1311.
Spann. See Span.
Spann, John, juror, **4**. 522.
Spann, John, vestryman, **25**. 210.
Sparkman, Jolly, army pay, **17**. 250.
Sparkman, Reuben, in militia, **15**. 399.
Sparkman, Richard, juror, **4**. 525.
Sparkman, Wm., army pay, **17**. 248.
Sparks, Elizabeth, murdered, **20**. 251.
Sparks, Jared, life of Washington cited, **5**. xv, xvi, xviii.
Sparks, John, pensioner, **22**. 87.
Sparks, Solomon, fined, **9**. 652.
Sparnon, Jane, administrator, **2**. 353.
Sparnon, Jos., dead, **2**. 353.
land lapses, **2**. 355.
Sparrow, ——, 10. 159.
Sparrow, ——, law suit, **2**. 92.
Sparrow, George, juror, **2**. 646.
Sparrow, Philander, sues for freedom, **2**. 550-1, 555, 557.
Sparrow, Thos., 23. 99.
Sparrow, Thos., gives freedom to slave, **2**. 550-551, 555, 557.
law suit, **2**. 98.
Sparrow, Thos., to be seized, **1**. 776-777.
Sparta, 17. 36; **19**. 496.
Spartman, Jas., in militia, **22**. 359.
Spartman, Jno., in militia, **22**. 359.
Spartman, Thos., in militia, **22**. 359.
Spatman, Wm., in militia, **22**. 359.
Spaulding. See Spalding.
Spaulding, Charles, petition on who are tithables, **9**. 97-8.
Spaulding, Charles, takes oath, **22**. 176.
Spaulding, Henry, in militia, **22**. 163.
Spaulding, Henry, petition on who are tithables, **9**. 97-98.
Spaun, Samuel, army pay, **17**. 248.
Speadwell furnace, 15. 430, 431.
Speaker of Assembly, 4. 471, 493, 720.
Ashe, **2**. 609; **3**. vi.
bill for salary to, **9**. 396, 407, 492, 497, 517, 519, 547.
Campbell, **5**. 154.
Downing, **4**. 33, 77, 116, 226, 356, 383.
M. Moore, **2**. 575, 608.
Moseley, **2**. 207, 213, 216, 463; **3**. vii, 138, 257, 361, 540, 563, 635.
Swann, **1**. 787, 790, 794; **2**. 529.
Speaker of Assembly of Albemarle, Catchmeyd, **1**. xxxii.
Cullen, **1**. 273.
Eastchurch, **1**. 228.
Speaker of House of Commons, to succeed speaker of senate as gov., **23**. 982.
Speaker of House of Commons, Eng., on Bd. T. and F. P., **1**. 223.
at council, **1**. 233.
Speaker of Senate, to succeed gov., **23**. 982.
Spear. See Speer.
Spear, David, army pay, **17**. 250.
army rank, **16**. 1153.
Spear, Jos., army rank, **16**. 1160.
Spear, Sam'l, army rank, **16**. 1160.
Spear, Spencer, army rank, **16**. 1163.
Spearman, Edward, voter, **15**. 237.
Spearman, Geo., army rank, **16**. 1166.
Spearman, Sam'l, in militia, **22**. 339.
Spearpoint. See Sperpoint.
Spearpoint, Joseph, army pay, **17**. 246.
Spearpoint, Joseph, army pay, **17**. 247.
army rank, **16**. 1155.
Spears. See Spear, Speer, Speers, etc.
Spears, ——, 16. 194.

Spears, ——, receives pay for soldiers, **17**. 247.
Spears, Mr., reports on Cherokee affairs, **14**. 162.
Spears, Henry, petition, **21**. 83, 101.
suspended as J. P., **20**. 236, 250, 416-417, 435.
Spears (Spiers), John, petition, **16**. 53, 56, 97, 100, 104, 105, 144.
Spears, Jos., army rank, **16**. 1162.
Spears, Jos., army rank, **16**. 1164.
Spears, Kindred, army rank, **16**. 1163.
Spears, Wm., asks relief from church tax, **9**. 95-96.
Spears, Wm., in militia, **22**. 166.
Spears, Willis, army rank, **16**. 1165.
Spear's line, 9. 174.
Specie, act on salaries in, **24**. 406-7, 444-5.
allowed in payment instead of specific articles, **24**. 437.
assessment in, **17**. 893.
fees payable in, **24**. 400.
imported, **7**. 434.
little in circulation, **7**. 144.
purchases, &c., &c., to be made in, **24**. 375, 388, 389, 422.
scarce and reason, **7**. 199, 201.
valuations made in, **24**. 438-9, 440, 443, 444, 448, 449, 460, 462, 463, 464, 467, 470, 471, 474, 477, 479, 480, 485, 487, 493, 494, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 509, 518, 519, 520, 522, 524, 525, 526, 534, 535, 536, 540, 542, 617, 836, 874, 952, 965, 979; **25**. 57, 83, 88.
Specie certificates, act to open land office in order to pay, **24**. 478-82, 565-6, 571, 682, 811; **25**. 5, 77; to redeem, **24**. 796, 797, 802-3, 885-6, 952-3; **25**. 7-9, 77.
bill to redeem, **19**. 181-182, 186, 196, 197, 211, 216, 220, 222, 227, 277, 279, 281, 302, 307, 311, 340, 345-346, 428, 762.
Specific articles, report on wanted, **16**. 561.
Specific commodities, to be sold, **24**. 495-6.
Specific provisions and supplies tax, 20. 594.
act for, **24**. 344-7, 390-4, 434-7, 437, 459-60; to collect arrears, **24**. 627-8, 824.
aid to Greene from, **19**. 994, 996, 998.
arrears to be collected, **20**. 104-105.
bill for, **17**. 804, 805, 812, 821, 833, 895, 906, 907, 923, 926, 927, 928; to collect, **20**. 9, 14, 15, 16, 24, 167, 174, 342, 354.
Burke to assem. on difficulty of getting returns, **22**. 1040.
evils of, **16**. 7.
relief from, **17**. 712, 790, 792.
to be issued by co. coms'rs, **24**. 418.
Speculation, charges of, **20**. 294, 429.
effect of laws against, **15**. 771-772.
presence of, **9**. 76.
Speed, Capt., wounded, **15**. 751.
Speed, Alexander, builds house, **1**. 410.
Speed, James, to buy corn, **14**. 863.
Speed, Jno., in assem., **19**. 489, 500, 613, 614, 622, 643, 667, 671, 675, 677, 682, 688, 714.
Speed, John, petitions on land grants, **9**. 1260-1263.
Speed, Jos., 21. 1045.
Speed, Jos., takes money to Hillsboro, **15**. 67.
Speed and Hawkins, impress vessel, **20**. 229, 231, 291.
Speedwell, sloop, **18**. 566.
Speedy, Maj., promoted, **15**. 759.
Speedy trials, provision for, **23**. 562-3.
Speer. See Spear, Spears, Speir, Speirs, Spier.
Speer, Henry, co. coms'r, **24**. 144.
land to, **25**. 112.
Speer, John, in militia, **22**. 285.
Speers, ——, stirs up Ga. against loyalists, **10**. 772.
Speers (Speir), James, utters counterfeits, **2**. 586, 594.
Speers, John, petition, **19**. 29, 63, 71, 97, 101.
Speers, Wm., in militia, **22**. 395.
Speight. See Spaight, Spieght, Spight, Spite, Spreight.
Speight, Capt., 2. 748, 753, 754, 755, 756.
Speight, Fra., land grant, **4**. 589.
quit rents of, **22**. 257.
Speight, H., Baptist minister, **5**. 1180.
Speight, Henry, in militia, **22**. 327.
Speight, Isaac, juror, **4**. 518.
Speight, Jesse, act to alter name from Hay, **24**. 939.
bill to change name to, **19**. 445, 762, 780; **20**. 155, 159, 179, 190, 191, 339, 357, 366, 377.
Speight, John, in militia, **9**. 296.
Speight, Joseph, army pay, **17**. 246.

Speight, Jos., in militia, **22**. 327.
Speight, Mary, Jr., imported, **1**. 582.
Speight, Mary, Sr., imported, **1**. 582.
Speight (Speights), Thos., **23**. 99.
abused by Porter, **2**. 688-689.
assistant justice of general court, **2**. 638, 666-672, 703-712, 821-829.
imports persons, **1**. 479, 582.
in assem., **2**. 575, 608, 623.
servant has bastard, **1**. 655.
thefts from, **2**. 667, 668.
Speight, Thos., juror, **25**. 186.
Speight, Thos., quit rents of, **22**. 254.
Speight, Thos., quit rents of, **22**. 257.
Speight, Wm., **2**. 748, 756, 805.
Speight, Wm., a J. P., **5**. 657.
juror, **4**. 517.
land grant to, **4**. 1244.
resurvey to, **6**. 1081-2.
sergeant at arms of assembly, **4**. 1278.
Speight, Wm., act to change name of son, **24**. 939.
bridge coms'r, **24**. 175.
Speight, Wm., in militia, **22**. 309.
Speight, Wm., in militia, **22**. 310.
Speight, Wm., in militia, **22**. 331.
Speight, Wm., in militia, **22**. 360.
Speight, Wm., quit rents of, **22**. 257.
Speight, Wm., Jr., ensign, **22**. 331.
Speights, Jno., in militia, **22**. 360.
Speights, Moses, in militia, **22**. 355.
Speir. See Spear, Speer, Spier.
Speir, W. M., petition on trade, **5**. 321-324.
Speir, Ann, tried for felony and murder, **2**. 656-657.
Speir, James, a J. P., **3**. 417; **4**. 813.
land grant to, **4**. 707, 764.
wife tried for felony and murder, **2**. 656-657.
Speir, John, a J. P., **3**. 223, 418, 425; **4**. 346.
juror, **2**. 686, 698, 830.
land grant asked for, **4**. 454; grant to, **4**. 66, 329, 331, 334, 799, 804.
wife murdered, **2**. 656.
Speir (Spier), Patience, murdered, **2**. 656.
Speir, Wm., land grant asked for, **4**. 454.
Speirman, Sam., land grant to, **4**. 281.
Speirs. See Spear, Speer, etc.
Speirs, ——, Indian commissioner, **4**. 224.
Speirs, Ann, quit rents, **22**. 243.
Speirs, John, lapse patent to, **2**. 524.
Speirs, Thos., enters caveat, **2**. 484.
Speirs, Wm., a J. P., **6**. 343.
Spell, George, signs Pitt asso., **10**. 222.
Spell, Thos., asks increased salary for inspectors, **5**. 961.
Spellar. See Speller, Spiller.
Spellar, Mr., to report as administrator, **2**. 289-290.
Spellen (Spillen), James, petition allowed, **13**. 754-755, 804, 806, 808.
Speller, Henry, a J. P., **2**. 565, 570, 607.
appraiser, **2**. 290.
asks for lapsed land, **2**. 301-302.
juror, **2**. 93, 95, 96, 104, 116, 399, 508, 646.
law suit, **2**. 90, 107-8.
Spellman, Mary, gives power of attorney, **2**. 149.
Spellman, Simon, army rank, **16**. 1161.
Spells, Henry, rank, **16**. 1154.
Spelman, John, appraiser, **1**. 452.
gives power of attorney, **1**. 432.
sells land, **1**. 434.
Spelmore. See Spilmore.
Spelmore, Aaron, army rank, **16**. 1163.
pensioner, **22**. 84.
Spelmore, Jacob, army rank, **16**. 1163.
Spelmore, Jacob, army rank, **16**. 1164.
Speme (Spence), Elizabeth, quit rents of, **22**. 250.
Spence, Mrs., **10**. 809.
Spence, Alen., vestryman, **2**. 209.
Spence, Alexander, asks aid of Va., **1**. 837-838.
imports persons, **1**. 488.
juror, **2**. 89.
road overseer, **1**. 523.
lapse patent to, **2**. 523.
Spence, Alex., in militia, **22**. 347.
Spence, Alex., in militia, **22**. 352.
Spence, Alex., juror, **25**. 188.
Spence, Alex., quit rents of, **22**. 250.
Spence, Alex., quit rents of, **22**. 250.
Spence, Alexr., vestryman, **23**. 7.
Spence, Alex., Sr., juror, **25**. 187.
Spence, Cattern, imported, **1**. 488.
Spence, David, imported, **1**. 488.
Spence, David, in militia, **22**. 349.
Spence, Dorety, imported, **1**. 488.
Spence, Ed., in militia, **22**. 347.
Spence, Greves, in militia, **22**. 347.
Spence, Insell, army pay, **17**. 247.
army rank, **16**. 1161.
Spence, Jabez, army pay, **17**. 248.

Spence, Jabez, army rank, **16.** 1157; **18.** 797.
Spence, James, army pay, **17.** 247.
Spence, James, imported, **1.** 488.
Spence, James, in militia, **17.** 1054.
Spence, James, in militia, **22.** 347.
Spence, Jas., in militia, **22.** 347.
Spence, James, land lapses, **2.** 523.
Spence, Jas., quit rents of, **22.** 250.
Spence, Jas., Jr., juror, **25.** 187.
Spence, James, Sr., juror, **25.** 187.
Spence, John, imported, **1.** 488.
Spence, John, imports persons, **1.** 488.
Spence, Jno., juror, **25.** 187.
Spence, John, militiaman, **7.** 263.
Spence, John, Sr., quit rents of, **22.** 250.
Spence, Jos., in militia, **22.** 352.
Spence, Robert, imported, **1.** 488.
Spence, Robt., in militia, **22.** 347.
Spence, Samuel, in militia, **17.** 1054.
Spence, Samuel, juror, **4.** 518.
Spence, Simon, in militia, **22.** 353.
Spence, Truman, in militia, **22.** 347.
Spencer, ——, **17.** 156.
Spencer, Col., **15.** 783.
Spencer, Col., rations to, **22.** 269.
Spencer, Benj., pensioner, **22.** 85.
Spencer, Rev. Elihu, introduced to Benehan, **7.** 149-150.
Presby. missionary to N. C., **5.** 1215, 1224, 1225, 1227.
Spencer, Jesse, pensioner, **22.** 85.
Spencer, John, estate of, **1.** 444.
Spencer, Jas. W., aids Germans, **8.** 632.
Spencer, Nicholas, at Va. council, **1.** 357.
to sec. of state on cessation of tobacco planting, **1.** 312-313.
Spencer, Richard, land grant to, **4.** 344.
Spencer, Robt., army rank, **16.** 1163.
Spencer, Robert, at board of trade meeting, **9.** 365-7.
Spencer, Samuel, **18.** 17, 812; **19.** 361; **20.** 297, 298, 299.
accounts considered, **16.** 133, 140.
advises retreat before regulators, **8.** 608.
aids in arrest of Dunn, **10.** 678, 797.
allowance to, **19.** 371, 373.
answers charges, &c., **18.** vi-viii, 167, 215, 316, 390, 408, 421-425, 429, 457, 461, 476, 477-483.
at council of war, **7.** 842.
bill to fix boundaries of lands of, **13.** 546-547, 571, 645, 646, 649, 671.
bond as deputy clerk of pleas, **7.** 114.
brings charges against Dunn, **15.** 690-692; against Outlaw, **11.** 572-3.
chairman Anson, S. C., **10.** 127, 128.
code coms'r, **23.** 987.
colonel, **9.** 298; **10.** 205; **12.** 469, 506.
com. on accounts of, **19.** 91, 488, 829, 835.
denounced by Martin, **10.** 119.
deposition on conduct of, **10.** 125.
extra salary allowed to, **17.** 702-703, 714, 787.
financial straits of, **17.** 156.
grants license to Davie, **15.** 385-6.
holds court, **13.** 419-420.
imposes fine, **21.** 674.
in assem., **7.** 300, 320, 330, 342, 343, 354, 381, 395, 396, 397, 399, 408, 560, 579, 584, 611, 612, 626, 644, 650, 655, 656, 902, 905, 932, 938, 939, 941, 948, 949, 953, 955, 956, 958.
in conv. 1788, **22.** 1, 4, 7, 25, 27, 29, 30, 31, 34.
in conv. 1789, **22.** 36, 46, 49, 50.
in Prov. Cong., **9.** xxxi, 1033, 1042, 1049; **10.** 164, 167, 171, 172, 186, 500, 515, 523, 529.
in regulator campaign, **8.** 593, 601, 604, 605.
judge of superior ct., **11.** 825; **12.** iv, 109, 232, 233, 234, 413, 415, 416; **14.** 302-3; **22.** 501, 504, 506, 507, 513, 907.
letter ment'd, **14.** 433; **20.** 480; on regulators ment'd, **7.** 751; submitted to com., **13.** 547, 552.
Martin to on Mallett, **16.** 879.
memorial, **19.** 500, 501, 503, 508, 510, 570; on depreciation, **20.** 150, 153, 288, 292, 330-331.
nom. for Fed. conv., **20.** 538, 557; **21.** 94, 117.
on claims com., **22.** 840, 847.
on com. of assem., **7.** 297, 345, 582, 897, 936.
on com. of cor. of Anson Co., **9.** 1033.
on com. of Prov. Cong., **10.** 173, 174, 515, 516, 522.
on Prov. Council, **10.** 214, 283, 349, 472.
oppresses Anson people, **7.** 807, 809.
petition, **21.** 296; considered, **10.** 965; on land grants, **9.** 1260-2; **11.** 250-2; referred to committee, **12.** 667.

quarrels with Williams, **16**. 965.
resigns from militia, **10**. 472.
school trustee, **24**. 690.
should hold courts, **14**. 865.
soldier in Cont. bat., **13**. 150-1, 158-9.
threatens Williams, **10**. 126.
to Caswell on case of Outlaw, **11**. 612-3; on counterfeiting, **11**. 481-2; on iron furnace, **11**. 575-8.
to Jones on courts and expenses of judges, **22**. 770-3.
to make arms, **10**. 354.
to Prov. Cong. on Perry, **22**. 752.
to Tryon on regulation in Anson, **7**. 722-726.
tries tories, **16**. 266-269.
trustee Univ., **25**. 22.
Tryon to on regulators, **7**. 727-8.
Spencer, Solomon, army rank, **16**. 1161.
Spencer, Stephen, 9. 1234.
Spencer, Thos., act for land to, **24**. 629-30.
land grant to, **19**. 572.
Spencer, Thos., appraiser, **2**. 246.
bound over to court, **2**. 92.
marries negro, **2**. 662, 672, 700, 706-707, 714, 819, 822, 834.
case cont'd, **3**. 53.
Spencer, Thos., juror, **25**. 188.
Spencer, Wm., in militia, **17**. 1057.
Spencer, Wm., pensioner, **22**. 87.
Spencer, Wm., town coms'r, **24**. 944.
Spencer Co., Tenn., 20. 322.
Spenke's, 14. 573.
Spenney, Wm., in army, **15**. 728.
Sper, Wm., asks pardon for regulators, **9**. 98-99.
Spergen. See Spurgen.
Spergen, Wm., property confiscated, **24**. 263, 424.
Sperpoint. See Spearpoint.
Sperpoint, Jos., army rank, **16**. 1164.
Sphynx, ship, **10**. 364.
Spiby, Daniel, wounded and prisoner, **22**. 523.
Spicer, James, army pay, **17**. 246.
ensign, **10**. 629.
petition, **19**. 156-157, 176-177, 180, 273, 275, 299-300; in favor of, **19**. 457, 806.
Spicer, John, a J. P., **22**. 918; **23**. 995.
admiralty judge, **19**. 186, 189, 202, 311, 312, 331.
agrees to pay troops, **11**. 485-486.
allowance to, **13**. 911; **17**. 862, 863, 958, 963-4.
chm. com. of whole, **17**. 855-6.
coms'r on building, **25**. 97.
flag seized, **16**. 735-736; correspondence on same, **16**. 823-826.
in assembly, **9**. 714, 718, 719, 721, 728, 734, 735, 751, 758, 763, 764, 767, 777, 778, 836, 837, 842, 874, 882, 884, 902, 903, 951; **12**. 178, 179, 201, 219, 252; **17**. 807; **19**. 134, 139, 144, 168, 175, 184, 215, 251, 259; **20**. 17, 21, 31, 33, 39, 46, 48, 66, 68, 72, 76, 81, 82, 83, 90, 91, 102; **21**. 194, 195, 232, 234, 264, 294, 305, 332, 343, 367, 372, 379, 382, 411, 431, 600, 782, 872, 873, 875, 927, 930, 931, 936, 941, 965, 970, 980, 999, 1004, 1012, 1015, 1031, 1032, 1050.
in conv. 1789, **22**. 38, 47, 48.
in C. of State, **17**. 311, 335; **20**. 28, 29.
in Prov. Cong., **10**. 165, 501, 523, 527, 914, 915, 960.
nom, as member C. of S., **13**. 137, 788.
on com. of assembly, **9**. 740; **12**. 137, 293, 427; **17**. 294, 305, 353, 819, 840, 906, 934.
on com. of Prov. Cong., **10**. 504, 507, 509, 522, 919.
paid for services as chancellor, **12**. 611.
paymaster, **10**. 965.
resigns as judge, **19**. 135, 244.
to take depositions, **13**. 829.
Spicer, John, army pay, **17**. 246.
army rank, **16**. 1153.
Spicer, John, Jr., in conv. 1788, **22**. 3, 6, 26, 27, 30, 35.
Spicer, John, Sr., dist. auditor, **24**. 387.
Spicer, Roan, in militia, **17**. 1057.
Spicer, Wm., pensioner, **22**. 87.
Spicer's, inspection at, **25**. 313, 379.
Spider, a horse captured by soldiers, **14**. 875-876.
Spieer, Jno., in militia, **22**. 338.
Spieght. See Spaight, Speight.
Spieght, Wm., land grant to, **4**. 1249.
Spier. See Spear, Speer, Speir.
Spier, ——, on com. of assem., **5**. 240, 523, 690.
Spier, Denis, receives pay for soldiers, **17**. 196.
Spier, Henry, co. coms'r, **25**. 14.
Spier, James, a J. P., **4**. 346.

land grant to, **4**. 329, 630.
Spiers (Spier, Spears), John, a J. P., **2**. 607.
commissioner of Indian trade, **3**. 414.
in assembly, **7**. 342, 343, 368, 381, 556, 567, 576, 586, 601, 611, 618, 636, 649, 666, 896, 908, 933, 975; **8**. 107, 146, 303; on com. of assem., **7**. 345, 352, 571; **8**. 111.
Spier, John, in assembly, **12**. 160.
Spier, John, juror, **2**. 646.
land grant to, **4**. 349, 633, 636.
retails liquor, **2**. 551, 555, 558, 595, 602.
rights proved, **4**. 636.
Spier (Spear, Spiers), Wm., building coms'r, **25**. 329, 343, 344.
co. coms'r, **23**. 531.
in assembly, **5**. 228, 232, 244, 256, 267, 269, 271, 285, 288, 292, 293, 503, 506, 508, 510, 522, 531, 537, 541, 544, 664, 689, 695, 843, 867, 874, 889, 895, 897, 899, 900, 1021, 1032, 1056, 1064, 1070, 1081; **6**. 95, 113, 801, 807, 893.
land grant to, **4**. 602, 1246.
Spier, Wm., in militia, **22**. 310.
Spiere, James, juror, **4**. 524.
land grant asked, **4**. 634; grant to, **4**. 627.
Spiere, John, juror, **4**. 523.
Spiere, John, juror, **4**. 524.
Spiere, Wm., juror, **4**. 523.
Spiers. See Spear, Speer, Spires, etc.
Spiers, Alex., discharged from Prov. Cong., **10**. 521.
Spiers, David, in army, **13**. 515.
Spiers, Henry, petition, **20**. 525, 534, 540, 547.
Spiers, J., in assembly, **3**. 635.
Spiers, John, allowance to, **13**. 911.
Spiers, John, in assembly, **4**. 737.
Spiers, Thomas, army pay, **17**. 248.
Spiers, Wm., army pay, **17**. 247.
Spier's (Wm.) Landing, inspection at, **23**. 641, 792; **24**. 581; **25**. 379.
Spight. See Spaight, Speight, Spieght.
Spight, Francis, land grant to, **4**. 636, 638.
Spight, Thos., in assembly, **25**. 159.
Spight, Thos., juryman, **2**. 262, 263.
Spight, Wm., a J. P., **4**. 1046.
Spights, Joseph, in army, **15**. 731.
Spights, Thos., land grant asked, **4**. 441.
Spikes, Jos., army rank, **16**. 1152.
Spikes, Wm., **22**. 427.
Spill, Henry, in army, **13**. 514.
Spillards, Jesse, army rank, **16**. 1152.
Spiller. See Speller.
Spiller, ——, and judgeship, **16**. 534.
Spiller (Speller), James, contests election, **15**. 189.
in assembly, **21**. 194, 197, 198, 199, 207, 210, 215, 216, 230, 232, 234, 241, 252, 253, 264, 269, 270, 275, 294, 305, 319, 332, 344, 346, 367, 372, 379, 382, 402, 412, 433, 578, 584, 587, 597, 599, 604, 614.
in conv. 1789, **22**. 38, 47, 48.
petition, **21**. 268, 275, 359, 627, 674, 695; on Martinique debt, **21**. 252.
Spiller (Spillen), James, petition allowed, **13**. 754-5, 804, 806, 808.
Spiller, James, voter, **15**. 237.
Spiller, James, voter, **15**. 238.
Spiller, Patience, petition, **2**. 353.
Spilliards, Jesse, army pay, **17**. 247.
Spilmore. See Spelmore.
Spilmore, Aaron, army pay, **17**. 251.
Spilmore, Jacob, army pay, **17**. 247.
Spindler, Boston, army rank, **15**. 728; **16**. 1155.
reënlists, **15**. 749.
Spinks, John, tory officer, **22**. 196.
Spinks's, 14. 519.
Spinney, Wm., army pay, **17**. 250.
Spires. See Spears, Spiers, etc.
Spires, Absolm., army rank, **13**. 519; **16**. 1153.
Spires, Thos., army rank, **16**. 1162.
Spires, Thos., assaulted, **2**. 698.
collects quit rents, **2**. 727, 729.
juror, **2**. 443, 821.
Spires, William, army pay, **17**. 247.
Spirgen. See Spurgen.
Spirgen, Wm., property confiscated, **19**. 672; **24**. 263, 424.
Spiritual Courts, none, **7**. 483.
Spite. See Spaight, Speight, Spieght, Spight.
Spite, Thos., a J. P., **2**. 526.
Spites, Wm., **2**. 805.
Spites, Wm., Sr., **2**. 806.
Spitfire, privateer, **22**. 958.
Spithead, Eng., **11**. 44; **18**. 574; **22**. 107.
Spitlefields, **2**. 372.
Spivey. See Spyvey.
Spivey, Abm., juror, **25**. 186.
Spivey, Benj., in militia, **22**. 358.
Spivey, Benj., juror, **25**. 186.
Spivey, Benja., Sr., juror, **4**. 516.
Spivey, Caleb, gun impressed, **22**. 414.

Spivey, Campen, petitions on county bounds, **9**. 633-4.
Spivey, Daniel, prisoner, **15**. 169.
Spivey, Elijah, in militia, **22**. 357.
Spivey, George, army pay, **17**. 251.
Spivey, Geo., in militia, **22**. 357.
Spivey, Jacob, in militia, **23**. 357.
Spivey, Jacob, juror, **4**. 516.
Spivey, Jacob, juror, **25**. 186.
Spivey, James, petition on outlaws, **11**. 731-2.
Spivey, James, petitions on outlaws, **11**. 731-3.
Spivey, Jonas, in militia, **22**. 357.
Spivey, Joshua, discharged by court, **2**. 443.
Spivey, Littleton, in militia, **22**. 370.
Spivey, Nath., in militia, **22**. 357.
Spivey, Thos., juror, **4**. 516.
Spivey, Wm., army pay, **17**. 250.
Spivy, Abraham, indicted for stealing, **2**. 365, 403, 404, 411, 412, 441, 443-4, 447, 470.
Spivy, Benj., indicted for hog stealing, &c., **2**. 365, 402, 403, 404, 412, 441, 443, 444, 447, 470.
Spivy, Francis, land grant to, **4**. 761.
Spivy, Jacob, indicted for hog stealing, &c., **2**. 365, 402, 403, 404, 412, 441. 443-444, 447, 470.
Spivy, Littleton, land grant asked, **4**. 708.
quit rents of, **22**. 243.
Spivy, Thos., indicted for hog stealing, &c., **2**. 365, 403, 404, 412, 441, 443-444, 447, 470.
Splendar, Boston, army pay, **17**. 250.
Spoe, Charles, takes oath, **22**. 170.
Spook, Samuel, in militia, **17**. 1057.
Spoon, Christopher, claim, **9**. 489.
Spooner, Jabez, land grant to, **4**. 343.
rights proved, **4**. 598.
Spooner, John, a J. P., **4**. 1239.
collector, **23**. 373, 397.
inspector, **23**. 381.
road coms'r, **23**. 221.
Sport, Wm., army rank, **16**. 1166.
Sportman, Wm., army rank, **16**. 1162.
Spotswood, Col., **12**. 464.
Spotswood, Alexander, **1**. 784, 972, 978; **2**. 17, 314.
accusations against, **2**. 336.
acts by old commission, **2**. 319.
address to House of Burgesses on Tuscarora war, **2**. 78-79.
advice asked by DeGraffenried, **1**. 969-70.
advises DeGraffenried to go to Europe, **1**. 970-971.
and boundary line with Va., **1**. xxiv; **2**. vi, 222-3, 299, 311, 681, 731, 733-4, 740, 744-5, 750, 800.
asked for aid against Cary rebellion, **1**. 918-21; in Tuscarora war, **1**. 837-838, 888-9; **2**. 29-31.
arrests Cary and others, **1**. 800, 801, 806.
confers on boundary dispute, **1**. 958.
corresponds with Pollock on aid in Tuscarora war, **2**. 22-23.
disapproves legislation against Cary, **1**. xxviii.
ends Cary Rebellion, **1**. xxvii, xxix.
forbids seating of lands in disputed territory, **1**. 853-4.
gets aid in Tuscarora war, **2**. 19.
gets credit for work never done, **2**. 253-4.
gives us materials for Cary rebellion, **1**. xxix.
governor of N. C. not to send prisoners to Eng. without evidence, **1**. 868.
issues proclamation for arrest of emigrants from N. C., **2**. 184-5.
letter from ment'd, **2**. 188; on his quarrel with N. C. over goods of Teach, **2**. 333; on Cary rebellion, **1**. 794-9, 800; on S. C. affairs ment'd, **2**. 193; to on Va. boundary dispute, **1**. 745.
mediates in Cary rebellion, **1**. 757, 780-1.
offers to mediate on Cary rebellion, **1**. 758-9, 760, 794-5, 798.
on defences and Quakers, **1**. 814.
on educating Indians, **1**. 817.
on turning out N. C. governors, **2**. x.
petition to from Neuse River, **1**. 819-820, 836-7.
Pollock to for aid, **1**. 883-884; on his sending men to N. C. for pirates, **2**. 319-320; on Indian war, **1**. 892-7; on Meherrin's war, **2**. 73-5; on Tuscarora war, **2**. 37-9, 39-41, 73-5.
president and council to on Cary Rebellion, **1**. 760-1.
proclamation against Cary and others, **1**. 776-7.
proposals of Eden on settlement of boundary, **2**. 204, 222-223, 299, 311.
proposes to settle Indians at Enoe Town, **2**. 242-243.

receives miners and settles them on his lands, **1**. 974-975.
receives security for help in Tus. war, **1**. xxx.
sends man-of-war against Cary, **1**. 920; marines to N. C., **1**. 778; prisoners to Eng., **1**. 804-6.
to Board of Trade on boundary dispute, **1**. 755; **2**. 382-3; on Cary rebellion, **1**. 779-83; on French encroachments, **2**. 382-383; on gold and silver mines, **1**. 847-849; on N. C. affairs, **1**. 886-887; on proposed compromise boundary, **2**. 221-2; on treatment of Va. troops in S. C., **2**. 202-203; on Tuscarora war, **1**. 810-813, 816-818, 834-5, 839-841, 861-863; **2**. 12-14, 48-49; on Va. boundary dispute, **2**. 134-5.
to Carteret on Teach's career and capture, **2**. 324-7.
to Hyde on Va. boundary dispute, **1**. 750, 751, 752, 753, 754, 755.
to Pollock on public affairs, **1**. 890-1, 892; **2**. 5, 6; on Indian policy, **2**. 47-8; on Tuscarora war, **2**. 4, 5, 14-16, 25-27, 31-32.
to Va. council on Tuscarora war, **2**. 73.
treatment of Barnwell, **1**. xxxi.
urges settlement of Va. boundary, **1**. 736, 738.
visited by DeGraffenried, **1**. 958, 968.
writes in behalf of Dennis, **1**. 803.
to S. C. on Indian affairs, **2**. 252-3.
Spotsylvania Co., Va., tithables in 1756, **5**. 565.
Spott's Farm, **19**. 985.
Sprag (Spragg), Wm., estate of, **1**. 411.
judgment against, **1**. 455.
suit against estate of, **1**. 425-6, 428.
Spragins, Lt., wounded, **15**. 638.
Spraikers, **9**. 1080.
Sprainger, Maj., dead, **15**. 755, 757.
Spraker, George, lands sold, **20**. 807, 808, 809.
Spratt, Thos., lieut., **10**. 945.
Sprawls, Mr., attacked and plundered by tories, **22**. 1044, 1045.
prisoner, **22**. 555.
Sprawls, Mrs., house attacked by tories and plundered, **22**. 1044, 1045.
Sprawls' (Sprawels, Spreals) Ferry, **22**. 412.
militia at, **22**. 585.
tories at, **22**. 1044-6.
Spreer, Jno., army rank, **16**. 1161.
Spreight. See Spaight, etc.
Spreight, Moses, a J. P., **3**. 234.
Spreight, Thos., a J. P., **3**. 234.
Sprewell. See Spruill.
Sprewell, Godfrey, army rank, **16**. 1164.
Sprey, Capt., **5**. 331.
Sprigg, Mr., opposes land grant, **4**. 969.
Sprigg, John, army pay, **17**. 248.
Spring. See Springs.
Spring, Aaron, land grant to, **4**. 707.
Spring, Henry, imports himself, **1**. 618.
juror, **1**. 608.
witness, **1**. 581, 605.
Spring, John, exempted, **4**. 828.
Spring, Richd., pensioner, **22**. 85.
Spring, Robt., juror, **25**. 190.
Spring, Robert, vestryman, **2**. 209; **23**. 8.
Spring Bank, bill for tobacco inspection at, **20**. 47.
inspection at, **24**. 581.
Spring Branch, **2**. 377; **7**. 1005; **14**. 186.
Spring Branch Camp, **14**. 295.
Spring Branch Church, **5**. 1179.
Spring Hill, Bladen Co., **22**. 298.
Spring Road, the, **25**. 43.
Springer, Mr., **13**. 490.
Springer, John, petition, **19**. 34-5; considered, **16**. 60, 64.
Springer, Levi, court martialed, **12**. 472.
Springer, Levy, petition on separation, **22**. 705-9.
Springer, Sylvester, prisoner, **16**. 674.
Springer, Thomas, petition on separation, **22**. 705-9.
Springfellow, Wm., regulator, **7**. 737.
Springfield, Aaron, army pay, **17**. 247.
army rank, **16**. 1166.
Springfield, Moses, pensioner, **22**. 86.
Springfield, **12**. 498; **13**. 514; **22**. 291.
Springfield, Mass., **14**. 597, 598; **20**. 677(?)
arms at, **17**. 103.
Springs. See Spring.
Springs, John, removed as sergeant, **7**. 292.
Springs, Micajah, army pay, **17**. 247.
army rank, **16**. 1163.
pensioner, **22**. 84.
Springs, Sdrh., army rank, **16**. 1152.
Springs, Sedg'k, army pay, **17**. 246.
pensioner, **22**. 85.
Springs, act to keep open road to, **24**. 746-7.

Springs and water, made free in Salisbury, **23**. 813.
Springsteel, Mr., **14**. 327.
Springston, ——, quoted, **17**. 11, 12, 13.
Springton, ——, sent for horses, **16**. 924.
Sproat, Mr., letter of, **16**. 338.
Sprot, Thomas, land grant to, **4**. 1047.
Sprott, Mr., a teacher, **11**. 498.
Sprouel. See Spruill.
Sprouel, Capt., report on militia co., **22**. 390.
Sproul, Wm., witness, **10**. 957.
Sproules's, **15**. 590.
Sprout, James, to Presbyterians of N. C. on Amer. liberty, **10**. 222-8.
Sprowl. See Spruill.
Sprowl, Wm., a J. P., **23**. 993.
Spruce, Wm., juror, **22**. 502, 508, 509, 511.
Spruel. See Spruill.
Spruel, John, dead and dropped as J. P., **5**. 996.
Spruel, Joseph, a J. P., **4**. 713.
act for warehouse at landing of, **23**. 150-151, 336.
land grant to, **4**. 628.
Spruel, Jos., in militia, **22**. 308.
Spruel, Samuel, act for warehouse at landing of, **23**. 150-151, 336.
Spruel, Samuel, in militia, **22**. 308.
Spruell, Col., quoted on bounty money, **15**. 318.
Spruell's Landing (Jos.), quit rents paid at, **25**. 217.
Spruil, Joseph, **4**. 559.
Spruil (Spruell), Joseph, claims, **9**. 590.
debts due by, **8**. 280-1; as sheriff, **9**. 573.
in assembly, **9**. 1189.
in Prov. Cong., **9**. 1042, 1049, 1179; **10**. 166, 167, 172, 190.
sheriff, **15**. 318.
Spruil (Spruill, Spruel, Spruell), Samuel, a J. P., **2**. 572; **3**. 244; **4**. 47, 346.
agrees not to attend assembly, **4**. 1192.
asks for lapse patent, **2**. 452-453.
files caveat, **2**. 97.
in assembly, **4**. 366, 406, 414, 735, 770, 785, 815, 1182, 1190; **5**. 232, 521, 689, 694, 843, 868, 889; **6**. 127, 120, 132, 158, 167.
juror, **2**. 436, 437, 442.
land grant to, **4**. 628.
on com. of assembly, **4**. 377.
sells land, **2**. 103.
Spruil, Samuell, Jr., juror, **4**. 525.
Spruil, Samuell, Sr., juror, **4**. 525.
Spruill. See Sprewel, Sprouel, Sproul, Sprowl, Spruel, Spruil.
Spruill, Mr., in assembly, **17**. 670, 705.
Spruill, Capt., commands company, **10**. facing 680.
Spruill (Spruil), Benj., **11**. 532.
in assembly, **9**. 383, 459, 588, 725, 734, 741, 772, 839, 846, 874, 902, 903, 904, 952, 1189; **12**. 314, 322, 323, 368, 378, 380, 399, 408, 425, 442, 822, 872, 879; **13**. 656, 690, 697, 708, 709, 712, 717, 721, 785, 786, 812, 813, 823, 913, 925, 966, 975, 980, 982, 983, 988, 990, 1000; **19**. 372, 375, 379, 381, 386, 489, 490, 514, 523, 613, 614, 622, 643, 667, 671, 675, 676, 682, 688, 718; **20**. 120, 121, 147, 148, 150, 156, 166, 168, 180, 230, 239, 240, 276, 285, 287, 288; on com. of assembly, **12**. 823, 831, 916.
in Prov. Cong., **9**. 1179.
town coms'r, **25**. 34.
Spruill, Charles, town coms'r, **25**. 34.
Spruill (Sprewell, Spruell), Dr. Godfrey, arrested, **2**. 103.
juror, **25**. 186.
paid for patient by vestry, **2**. 121.
payment to, **1**. 597.
petitions for survey, **1**. 856.
sells land, **2**. 101.
to treat pauper, **1**. 569.
Spruill, Hezekiah, in conv. 1788, **22**. 3.
to procure arms, **10**. 525.
town coms'r, **25**. 35.
Spruill, Joseph, juror, **2**. 442, 463, 473, 508, 556, 585.
road overseer, **2**. 448, 470.
Spruill, Joseph, juror, **4**. 525.
Spruill, Joseph, colonel and major, **10**. 205, 532.
money from, **21**. 1064.
Spruill, Jos., vestryman, **25**. 182.
Spruill, Joseph, Jr., a J. P., **23**. 994.
Spruill, Sam'l, juror, **25**. 186.
vestryman, **25**. 182.
Spruill, Samuel, Jr., petition on trade, **5**. 321-4.
Spruill, Simon, in assembly, **18**. 227, 228, 257, 258, 284, 297, 311, 312, 317, 345, 346, 350, 357, 360, 361, 362, 376, 389, 399, 429, 440, 443,

469, 470, 471; **20**. 120, 121, 156, 180, 239, 240, 246, 285, 287, 288; **21**. 2, 3, 47, 52, 66, 68, 74, 77, 109, 115, 130, 133, 160, 168, 179, 190, 194, 196, 212, 234, 288, 294, 305, 332, 345, 367, 379, 382, 411, 432, 874, 898, 930, 931, 937, 941, 946, 965, 970, 980, 1003, 1004, 1006, 1012, 1015, 1021, 1031, 1032, 1050, 1055.
in conv. 1788, **22**. 3, 10, 25, 28, 30.
in conv. 1789, **22**. 39, 47, 48.
nom. for J. P., **18**. 185.
resigns as major, **21**. 782, 936, 941.
Spruim, Jos., quit rents of, **22**. 246.
Spruim, Samuel, quit rents of, **22**. 246.
Spry, Dr. Wm., **7**. 459.
Spurgain, Wm., ordered to raise King's standard, **10**. 441-3.
reads McDonald's proclamation, **10**. 444.
Spurgen. See Spergen, Spirgen.
Spurgen, Wm., **21**. 1039.
Spurgen, Wm., a J. P., **7**. 856.
presides at court, **8**. 64.
Spurgeon, Wm., a J. P., **6**. 1077.
Spurgeon, Wm., to be arrested, **10**. 311.
Spurgin (Spurgeon), Jane, petition, **17**. 315; **20**. 32, 59, 496; **21**. 26, 32, 72.
Spurgin, John, petition on separation, **22**. 705-13.
Spurgin, John, tory leader, **22**. 618.
Spurgin, Wm., audits Rowan accounts, **8**. 156-157.
denounced by S. C., **9**. 1080.
Spyve, Joab, in militia, **22**. 282.
Spyvey. See Spivey, Spivy.
Spyvey, Benj., quit rents of, **22**. 257.
Spyvy, Jacob, quit rents of, **22**. 254.
Spyvy, Jacob, quit rents of, **22**. 257.
Spyvy, Jas., quit rents of, **22**. 257.
Spyvy, John, quit rents of, **22**. 257.
Spyvy, Joshua, quit rents of, **22**. 257.
Spyvy, Thos., Sr., quit rents of, **22**. 257.
Squares, Thos., army rank, **16**. 1166.
Squars, John, in army, **13**. 504.
Squatters, must take out warrants, **4**. 42-43.
to be charged with quit rents, **4**. 206.
Squawasque, inspection at, **23**. 641, 792; **25**. 313.
Squhawky, act for town at, **24**. 307-9.
bill for town at, **13**. 849-50, 871-2, 884, 941, 951, 972.
Squiggans, Joseph, in army, **15**. 740.
Squire, Capt., commands the Otter, **10**. 394.
Squire, John, land grant to, **4**. 1242.
Squire, John Gardiner, land grant asked, **4**. 454.
Squires, Indian chief, **2**. 528.
Squires, Andw., army rank, **16**. 1163.
Squires, Jno., army rank, **16**. 1153.
Squires, John, exempted, **5**. 523.
Squires, John, in militia, **22**. 346.
Squires, John, memorial in favor of Smith, **6**. 58-60.
Squires, John, road coms'r, **25**. 264.
Squires, Jonas, **23**. 222.
Squires, King, petition of, **2**. 316.
Squires, Roger, exempted, **8**. 453.
Squires, Skidmore, army pay, **17**. 251.
army rank, **13**. 524; **16**. 1153.
Squirrels, act to destroy, **23**. 107, 500-1, 538, 747, 780; **24**. 749-50, 826, 912-13, 958; **25**. 198-200, 454, 510-11, 516-17; to destroy repealed, **3**. 192.
bill to destroy, **4**. 97, 99, 137; **5**. 1021, 1024, 1036, 1057, 1058, 1065, 1066, 1067, 1097; **6**. 454, 455, 459, 469, 487, 488, 490, 495, 499, 511, 645, 647, 648, 669, 675, 676, 677, 678, 850, 855, 858, 864, 865, 869, 870, 872, 875, 892, 914, 919, 923, 925, 936, 937, 942, 943, 944, 948, 963; **7**. 308, 311, 376, 382, 387, 557, 558, 560, 563, 580, 582, 583, 585, 590, 602, 623, 638, 639, 668, 901, 904, 909, 910, 921, 945, 947, 954, 962, 963, 973, 978.
Squoy (Squaw?), **15**. 705.
Srousberry, Henry, land grant to, **4**. 593.
Stacey. See Stacy, Stasee.
Stacey, Jos., bill to release from recognizance, **21**. 211, 222, 226, 347, 395, 586, 589, 715.
Stacey, Wm., exempted, **5**. 1044.
Stacey, Wm., juror, **4**. 516.
Stacey, William, petition on separation, **22**. 705-14.
Stack, Jno., in militia, **22**. 385.
Stack, John, land grant to, **5**. 812, 824.
land dispute continued, **5**. 812, 813.
Stack family, **8**. 734.
Stackhouse, ——, History of, **6**. 315.
Stacy. See Stacey, Stasee.
Stacy, Aaron, pensioner, **22**. 85.
Stacy, John, army rank, **16**. 1162.
Stacy, John, witness, **1**. 580.

Stacy, Joseph, petition, **21**. 49.
Stacy, Thomas, summoned to council, **2**. 303.
Stade, Germany, **10**. 453.
Stadler, John, Baptist minister, **5**. 1184.
Stadley, Andrew, army pay, **17**. 248.
Stafford, ——, runs to Va., **1**. 881.
Stafford, Alex., in militia, **15**. 400.
Stafford, Anthony, receiver general, **1**. 845.
Stafford, Ed., juror, **25**. 190.
Stafford, Edward, a J. P., **6**. 343.
Stafford, John, appraiser, **2**. 71.
Stafford, Jno., army rank, **16**. 1157.
Stafford, John, owes state, **21**. 1070.
Stafford, Josiah, army rank, **13**. 510; **16**. 1159.
Stafford, Nancy, affidavit, **14**. 311.
Stafford, Samuel, in militia, **10**. 99.
patroler, **10**. 64, 451.
petitions for Tyson, **16**. 580.
Stafford, Thomas, juror, **4**. 518.
quit rents of, **22**. 254.
Stafford, Wm., a J. P., **17**. 922.
Stafford, Wm., commends Adams, **1**. 728-729.
vestryman, **2**. 209; **23**. 7.
Stafford, Wm., land grant to, **4**. 675.
Stafford, Wm., on Pitt safety com., **10**. 221.
Stafford, Wm., quit rents of, **22**. 247.
Stafford, Wm., Sr., arrested for mutiny, **1**. 870, 872.
Stafford Co., Va., tithables in 1756, **5**. 565.
Stafford Row, **5**. 16.
Stafford Row, Westminster, **5**. 339.
Staford, Wm., land grant to, **4**. 589.
Stagg, Mrs., **9**. 307.
Stagg, Abraham, in militia, **22**. 419.
Stagg (Stag) Park, **6**. 277; **15**. 503; **22**. 298.
lands gotten by fraud, **3**. 502, 518.
on Cape Fear River named, **1**. 69.
sold, **6**. 1085; to Strudwick, **6**. 578-580.
Stahmaker's Church, **8**. 738.
Stainback, Jas., acknowledges payment, **22**. 488.
Stainback, Jno., in militia, **22**. 394.
Stainland, Hugh, land grant to, **4**. 635.
Stainland, John, land grant to, **4**. 1244.
Stainland, Patrick, land grant to, **4**. 1050.
Stair, Earl of, at council, **2**. 680, 732.
Stake, Adam, petition on separation, **22**. 705-13.
Staley, John, land grant to, **4**. 1238.
Staley family, **8**. 734.
Stallard (Stollard), James, never arrives in N. C., **3**. 477; **4**. 9, 17, 22, 23; **11**. 114.
proposed for council, **3**. 85, 86, 91.
put into council but not in N. C., **4**. 425.
Stallian, Gregory, quit rents of, **22**. 257.
Stalling, Ebenezer, army pay, **17**. 250.
Stalling, James, land grant to, **4**. 595.
Stallings, Elias, juror, **4**. 518.
land grant to, **4**. 638, 684, 712.
quit rents of, **22**. 254.
Stallings, George, **2**. 804.
Stallings, Nicho., juror, **4**. 518.
Stallings, Nicholas, petitions on county bounds, **9**. 633-4.
Stallings, Nich., quit rents of, **22**. 254.
Stallings, Rich'd, in militia, **22**. 357.
Stallings, Sam'l, in militia, **22**. 357.
Stallings, Shadrack, building coms'r, **25**. 97.
in assembly, **21**. 747, 871, 873, 894, 946, 965, 970, 980, 999, 1003, 1012, 1013, 1015, 1050, 1055.
Stallings, Simon, juror, **4**. 518.
Stallings, Simon, petitions on county bounds, **9**. 633-634.
Stallings, Simon, quit rents of, **22**. 254.
Stallins, Walter, petition on C. H., **9**. 806-8.
Stallins, James, army pay, **17**. 247
Stallions, Lott, quit rents of, **22**. 254.
Stallions, Moses, army rank, **16**. 1162.
Stallkings, James, land grant to, **4**. 590.
Stallworth, Jos., petitions, **19**. 932.
Stalnecker's (Halnecker's), **10**. 838.
troops to rendezvous at, **10**. 672, 680, 689; **11**. 333, 343-4.
Stamey, Jno., pensioner, **22**. 85.
Stamford, ——, on boundary dispute, **1**. 525-6.
on draft law, **1**. 672-3.
on proprietary colonies, **1**. 535-7, 538, 539-40.
on Va. boundary dispute, **1**. 703-4.
Stamford, Conn., **9**. 1232.
Stamp. See Stamps.
Stamp, ——, law suit, **2**. 93.

Stamp (Stamps), Richard, juror, **2.** 83, 265.
land lapses, **2.** 724.
law suit, **2.** 108.
on Cary rebellion, **1.** 784-7.
to audit estate, **2.** 486.
Stamp, Thos., lapse patent to, **2.** 724.
Stamp Act, 6. 1319; **7.** 123, 168*f*; **8.** 496; **9.** 1084; **10.** 222; **18.** 604; **25.** v.
address to King on repeal of, **7.** 320-321, 322, 332-333, 334, 335, 392, 394, 396, 397, 399, 408-409, 414.
armed resistance to, **7.** 169-74.
assembly to Tryon on and answer, **7.** 347-9, 355-6.
association against, **7.** 182.
clergy act compared to, **7.** 253, 261.
com. of assembly on influence of, **7.** 877-8.
Cross Creek letter causes Stuart's suspension, **7.** 187-8.
delays court of claims, **7.** 442.
evils from, **7.** 249-250.
guns of Ft. Johnston spiked, **7.** 180-182.
Hasell in, **9.** 50.
Hillsborough on address of Mass. to N. C., **7.** 712-13.
hostility to, **8.** xi, xii.
Houston's appointment as distributor and resignation, **7.** 130, 131; to Tryon on, **7.** 198-9.
Howard suffers from riots in R. I., **9.** 813; supports Stamp Act, **11.** 761, 765.
indemnification under, **7.** 217.
influence on theory of validity of Br. law, **7.** 473.
letter to Dry on seizure of vessels, **7.** 177-8; to Tryon on, **7.** 169, 178.
Lloyd's part in, **7.** 206.
Mass. to N. C. on duties and taxes under, **6.** 1296; **7.** 686-689.
memorial to Tryon on and answer, **7.** 242-3, 248, 249.
opposed by M. Moore, **8.** xli.
proceedings on, **7.** 123-125, 127-130, 143-144, 168*a*-168*b*, 168*c*-168*e*, 169-174.
proclamation against proceedings on, **7.** 187.
prosecutions for violation of recommended, **7.** 175-177.
provisions refused to Viper, **7.** 184-6, 189.
rebellion of compared with regulation war, **8.** iii, iv, x.
reception and results of, **7.** 161-2.
repealed, **7.** 193-5, 221, 222, 231, 232, 247; and act for indemnification, and answer, **7.** 293, 298, 299, 344.
reports on ment'd, **7.** 290, 291.
resolutions of N. Y. Congress on, **7.** 121-2.
results on colony, **7.** 248.
riots from, **7.** 1.
Ruby and Patience released, **7.** 183.
stamps arrive, **7.** 168; not necessary for writs for members of assembly, **7.** 135; seized at Cape Fear, **5.** xxiii.
troubles of, **9.** x, xi; reviewed, **8.** ix-x; summarized, **7.** iii-xii.
Tryon suggests submission to, **8.** 719; diplomacy in, **8.** xxxvi, xxxvii, xl; to Board of Trade on, **7.** 200-2, 203; to coms'r on reshipping of stamps, **7.** 436; to Conway on, **7.** 188-9, 199-200; to Fauquier on, **7.** 190; to Gage on, **7.** 190-1; to Lobb and Phipps on and answer, **7.** 179, 180; to Stirling on, **7.** 189-190.
Va. House of Burgesses on, **7.** 746-749.
Wilmington to Tryon on repeal of and answer, **7.** 222-3.
Stamp duties, proposed in 1726, **2.** 625.
Stamper, Joel, pensioner, **22.** 87.
Stamper, Powell, petition on C. H., **9.** 806-8.
Stamps. See Stamp.
Stamps, Richd., quit rents of, **22.** 251.
Stanback, James, in militia, **22.** 163.
Stanback, John, in militia, **22.** 163.
Stanback, Thomas, petitions for Windsor as C. H., **9.** 804-806.
Stanbridge, Edward, appointed marshal of admiralty, **2.** 765-766.
Stancell. See Stansel.
Stancell, Jesse, army pay, **17.** 251.
Stancell, Wm., juror, **4.** 525.
Stancland, John, land grant to, **4.** 768.
Stancland, Patrick, land grant to, **4.** 704.
Stand Mute, Eng. act on in force in N. C., **23.** 322.
Standard, Daniel, asks relief from church tax, **9.** 95-96.
petition on who are tithables, **9.** 97-98.
Standard of weights and measures,

23. 53-54, 178-180, 336, 478; **25**. 160.
Standards, delivered to new keeper, **2**. 12.
Standback, Francis, army pay, **17**. 246.
Standel, Peter, juror, **25**. 188.
Standen, Edward, juror, **2**. 466, 467, 474.
Standen, John, in army, **15**. 726.
Standerweeke, Richard, carries letter, **1**. 319.
Standfast, Wm., army rank, **16**. 1154.
Standfield. See Stanfield.
Standfield, Jas., army rank, **16**. 1164.
Standford. See Stanford.
Standford, James, army pay, **17**. 250.
Standing, Lieut., leaves battalion, **11**. 524.
Standing, Edward, **1**. 833.
juror, **2**. 657, 664. 666, 821.
Standing, Ed., in militia, **22**. 356.
Standing, Edward, juror, **25**. 185.
Standing, Ed., quit rents of, **22**. 257.
Standing, Henderson, in militia, **22**. 356.
on Chowan S. C., **10**. 847.
petitions on county bounds, **9**. 633-634.
Standing, Samuel, juror, **4**. 517.
Standing, Samuel, quit rents, **22**. 254.
Standing, Thos., ensign, **10**. 287.
petitions on county bounds, **9**. 633-5.
Standing, Wm., quit rents of, **22**. 257.
Standing armies, **22**. 19, 20.
not to be kept up, **22**. 19, 20, 663-4.
Standings, Thomas, lieut., **10**. 559.
Standins, Wm., inspection at, **25**. 313, 379.
Standiss, Thos., army record, **13**. 480.
Standley. See Stanley, Stanly.
Standley, David, in Prov. Cong., **9**. 1178, 1180, 1181; **10**. 164.
Standley, Elizabeth, sells land, **2**. 95.
Standley, Godfrey, on S. C. Pitt Co., **10**. 37.
See also Stansel.
Standley, Jas., army rank, **16**. 1158.
Standley, Jesse, army rank, **16**. 1166.
Standley, Jesse, army pay, **17**. 248.
Standley, Jonas, army rank, **16**. 1161.
Standley, Mark, exempted, **9**. 495.
Standly, David, dues from sheriff, **9**. 572.
Stanerland, John, land grant to, **4**. 650.
Stanfast, Wm., in army, **15**. 718.
Stanfield. See Standfield.
Stanfield, John, claim, **9**. 487.
in assem., **20**. 120, 121, 147, 152, 167, 180, 240, 246, 276, 285, 287, 288.
Stanfield, Jno., in militia, **22**. 378.
Stanford. See Standford.
Stanford, ——, signs letter, **7**. 458-9.
Stanford, John, juror, **22**. 502.
Stanford, Sam'l, Sr., pensioner, **22**. 86.
Stangford, John, fined, **9**. 651.
Stanhope, Earl, **9**. 1092.
Stanhope, Capt., **18**. 489.
Stanhope, Capt., act of C. C. on conduct of, **17**. 507-508.
Stanhope, Capt., letter of ment'd, **17**. 274.
Stanhope, James, confers with Board of Trade on Yemassee war, **2**. 194.
letter from ment'd, **2**. 193.
submits scheme on plantation to Board of Trade, **2**. 154.
to be won over to sale of C., **2**. 384.
to Board of Trade on condition of C., **2**. 187-8.
Stanhope, **7**. 837.
Stanhope (parole), **22**. 875.
Staniland, James, land grant to, **4**. 854.
Stanilands, Hugh, land grant to, **4**. 355.
Stanland, Benj., in militia, **22**. 318.
Stanland, Gershrom, in militia, **22**. 318.
Stanland, Jno., in militia, **22**. 318.
Stanley. See Standley.
Stanley, ——. **16**. 993.
Stanley, ——, Green & Co., pay Hooper, **16**. 941-2.
Stanley, Mr., **15**. 113; **16**. 940, 941; **17**. 153.
Stanley, Messrs., memorial, **20**. 70, 88-89.
Stanley, Capt., **10**. 833.
Stanley, David, claims allowed, **9**. 589.
debts due by, **8**. 278-279.
Stanley, David, in assem., **9**. 722, 726, 734, 741, 765, 770, 777, 840, 843, 874, 889, 896, 902, 903, 930, 952, 1188, 1189; on com. of assem., **9**. 1197.
town coms'r, **23**. 755, 959.
Stanley, David, in militia, **22**. 281.
Stanley, Hancock, army pay, **17**. 249.
Stanley, Hans, at privy council, **11**. 236-237.
Stanley, Hugh, allowance to, **19**. 502, 507, 552.
pensioner, **18**. 54, 59, 293.
Stanley, Hugh, land grant to, **4**. 651.
Stanley, J. T., clerk, **22**. 143.

Stanley, Jas., exempted from taxation, **13**. 834.
Stanley, Jas., takes oath, **22**. 177.
Stanley, Jno., in militia, **22**. 494.
Stanley, Jona., juror, **4**. 522.
Stanley, Jonathan, juror, **25**. 188.
Stanley (Standley), Jonathan, patents land, **2**. 379.
sells land, **2**. 95.
Stanley, Jonathan, witness, **14**. 185.
Stanley, Patrick, grant not allowed, **4**. 854-5.
payment to ordered, **4**. 948.
Stanley, Rich'd, a J. P., **23**. 993.
Stanley, Richard, to lay out road, **25**. 474.
Stanley, Robt., army rank, **16**. 1158.
Stanley, Sans, claims, **9**. 590.
Stanley, Wm., land grant to, **4**. 349, 1249.
opposes land grant, **4**. 1036.
rights proved, **4**. 1032.
Stanley, Wm., petition on C. H., **9**. 806-808.
Stanley, Wm., to Nash on horses, **14**. 850.
Stanley & Co., **21**. 274, 275.
merchants in Newbern, **14**. 650.
See Stanly, John Wright.
Stanley's wharf, **13**. 187.
Stanly, ——, **11**. 368.
Stanly, ——, prisoner, **14**. 176.
Stanly, Mr., **11**. 392.
Stanly, Mr., **13**. 330.
Stanly, Christ'r, pensioner, **22**. 86.
Stanly, David, building coms'r, **24**. 470.
Stanly, John, clerk of elections, **10**. 923.
Stanly, John, commissioner on estate of Macknight, **12**. 68.
Stanly (Stanley), John Wright, **22**. 522.
advertises goods, **13**. 462.
asks for letters of marque, **10**. 788.
asks leave to export, **10**. 834.
canvas delivered to, **10**. 629; **14**. 436.
captures prize, **14**. 748.
Caswell to on slave, **18**. 624-5.
celebrates Dec. of Indp., **13**. 187; **22**. 758.
com. to value goods imported by, **10**. 506, 510-511, 571, 576.
coms'r on coast navigation, **24**. 720; on school, **24**. 607.
fits out privateers, **15**. 72.
has Barlow arrested, **10**. 464.
imports supplies, **14**. 380.
manager of lottery, **24**. 821.
memorial, **17**. 358, 360, 377, 386-8, 393; **20**. 84; **21**. 749, 868, 898; **21**. 1056-7, 1058.
merchant, **13**. 364; **14**. 650.
nom. for C. of State, **17**. 311; **18**. 114; **19**. 466, 809; **20**. 28.
owns goods, **14**. 731.
owns the General Nash, **15**. 645.
owns the William, **10**. 832.
payment to, **15**. 354.
petition of executors, **21**. 898, 998, 1003, 1056.
presents memorial on Pa. Farmer, **10**. 834.
privateers to make captures, **15**. 71-72.
receives aid for Boston, **9**. xxxviii.
recommendation for, **10**. 788.
sales of to state, **20**. 216.
sloop of takes ship and slaves, **11**. 813; makes prize, **15**. 78.
surety, **20**. 52.
Tisdale to council on, **10**. 861-2.
to arm vessels, **10**. 352.
to Caswell on war stores for Ft. Hancock, **13**. 185.
to receive subscriptions to aid Boston, **9**. 1116.
trades to W. I., **11**. 719.
vessels of take prizes, **11**. 778, 779.
warrant to for supplies, **14**. 273.
Stanly, Jonathan, army pay, **17**. 247.
Stanly, Wm., on S. C. of Craven, **9**. 1237.
Stanly Co., Baptists in, **5**. 1186.
German Reformed churches in, **8**. 744, 745, 750.
Germans in, **8**. 729.
Lutherans in, **8**. 779.
Stanly wharf, Newbern, **22**. 758.
Stannix (Stanwix?), Brigadier, aid offered to, **6**. 33.
Stannul, Peter, in army, **16**. 1161.
Stansberry, Luke, in army, **16**. 1161.
Stansel. See Stancell.
Stansel (Stancell), Godfrey, on com. to collect aid for Boston, **9**. 1081.
on Pitt S. C., **10**. 37, 99, 295, 618, 670.
patroler, **10**. 63.
Stansell, John, juror, **4**. 525.
Stansell, Peter, army pay, **17**. 250.
Stansil, John, witness, **18**. 252.
Stanton. See Staunton.
Stanton, ——, law suit, **1**. 587.

Stanton, Charles, bad man, **21**. 752.
Stanton, Elijah, tried for burglary, **2**. 704, 708-709.
land grant to, **4**. 274, 588, 602.
Stanton, Henry, canal coms'r, **23**. 685.
road coms'r, **23**. 221.
Stanton, Jno., army rank, **16**. 1152.
Stanton, John, army rank, **16**. 1160.
Stanton, John, bad man, **21**. 752.
Stanton, John, land patent to, **6**. 637.
Stanton, John, tries, values, and condemns slaves, **13**. 375-376.
Stanton, Thos., land lapses, **2**. 641.
law suit, **1**. 591, 594.
Stanton, Wm., in militia, **22**. 387.
Stanton, Va., troops at, **14**. 670; from, **14**. 687.
Stanton River, troops collected on, **15**. 549, 551.
Stanyan, Temple, clerk of council, **3**. 74, 75, 499-500.
signs action of council, **4**. 164.
Stanyon, Edward, boat of to be hired, **1**. 120.
goes crazy, **1**. 121.
Stap, Joshua, exempted, **4**. 1072.
Staple commodities, act on rating, **23**. 54-5, 110; **25**. 160, 205-6; on time of payment, **23**. 55; to appoint inspectors for, **23**. 352-5.
tax paid in, **23**. 141, 144, 151, 176, 212, 284.
See also Proclamation Money; Rated Commodities, etc.
Staples, Robert, army pay, **17**. 249.
army rank, **16**. 1156.
Staples, of N. C., **9**. 612.
Stapleton, Col., **1**. 159.
Stapleton, Thos., petitions, **19**. 927.
Stark. See Starks.
Stark, Col., offers to take Tenn. people into Spanish dominions, **22**. 792.
Stark, Gen., success ment'd, **11**. 586, 590, 593.
Stark, John, enters caveat, **5**. 818.
Stark, Jones, account of, **19**. 418.
Starke, Henry, in army, **13**. 526.
Starkee, John, rights proved, **4**. 705.
Starker, Zachariah, petition on use of Carteret militia, **15**. 146-147.
Starkett, Corp., **22**. 277.
Starkey, ——, **16**. 993.
Starkey, Edward, a J. P., **22**. 918; **23**. 995.
at council meetings, **14**. 273-4, 286-8.
buys at Martin's sale, **22**. 882, 883, 885.
Caswell to on his attending council, **11**. 536-7.
coms'r on capital, **13**. 752; **18**. 804; on navigation, **24**. 593; on school, **24**. 511, 535.
in assembly, **9**. 387, 388, 393, 397, 408, 417, 422, 431, 448, 457, 463, 469, 473, 475, 482, 495, 518, 530, 540, 550, 569, 582, 588; **13**. 755, 785, 794, 801, 808, 812, 813, 824, 913, 925, 942, 966, 975, 980, 982, 984, 988, 992, 1000; **16**. 2; **17**. 285, 304, 306, 359, 365, 366, 387, 389, 391, 715, 716, 723, 733, 738, 878, 879, 936, 947, 948, 953, 963; **19**. 381, 383, 385, 389, 391, 393, 413, 434, 504, 505, 506, 509, 519, 522, 532, 557, 569, 576, 589, 593, 601, 613, 614, 616, 618, 622, 643, 667, 671, 675, 676, 688, 718, 719, 738, 794, 805, 808, 816, 821, 824, 827, 832, 835; **20**. 19, 120, 176, 180, 229, 234, 235, 238, 239, 240, 248, 267, 285, 287; on com. of assem., **9**. 381, 450, 451; **13**. 742, 761, 794, 795, 819, 831, 832, 834, 840, 849, 850, 866, 869, 875, 915, 916, 921, 922, 923, 924, 930, 940, 941, 958, 959, 965, 967, 968, 969; **17**. 287, 299, 302, 637, 643, 647, 649, 660, 661, 662, 666, 674, 676, 721, 723, 727, 731, 732, 739, 742, 743, 746, 755, 757, 762, 775, 798, 812, 820, 826, 829, 841, 843, 844, 850, 884, 895, 896, 900, 904, 915, 916, 933, 935, 937, 938, 943, 946, 970.
in council of state, **10**. 1013; **11**. 363, 364, 379, 380, 457; **12**. 25, 27, 562, 569, 570, 667, 676, 682; **13**. 402, 874, 966; **22**. 906, 909, 910, 914, 917, 922, 926, 929, 931, 935, 937, 938, 944, 947, 949, 951, 953, 954, 955; **23**. 986; on com. of cong., **10**. 192, 943, 948, 952, 954, 963, 966, 973.
in conv. 1788, **22**. 3.
in Prov. Cong., **9**. 1179, 1180, 1181; **10**. 165, 168, 173, 914, 923, 960;
nom. for C. C., **13**. 853, 945; **19**. 466, 582, 584, 623, 813.
protests against confirmation act, **13**. 991-992.
resigns as auditor, **15**. 207.
speaker of commons, **16**. 958, 959; **19**. 235, 368; **22**. 236.
summoned to council, **11**. 683.

to Burke on French vessel, **14**. 253, 254.
to Caswell on Br. fleet and French ship, **13**. 330-331.
to fit out galleys, **10**. 981.
Starkey, George, land grant to, **4**. 628.
Starkey, John, a J. P., **4**. 46, 346, 1239; **22**. 918.
account ment'd, **5**. 827; demanded from, **6**. 1088.
act to appoint public treasurer, **25**. 494-5.
affidavit ment'd, **6**. 80.
allowance to, **22**. 864.
attacked by Dobbs, **5**. 1096, 1098-1099.
bill to appoint treasurer in place of, **7**. 46, 47, 48, 49, 55-56, 65, 67, 69, 70, 71, 72, 84, 107, 300, 301, 302, 304, 312-313, 314, 324-325, 327-328, 330-331, 338, 350, 352, 353, 357, 359, 363, 367, 387-388, 401, 402-403, 410, 419; to make him treasurer, **6**. 1127-1129, 1144.
chairman committee of whole, **4**. 728, 774, 826, 831, 859, 1070; **5**. 202, 245, 909, 975, 1080; **6**. 102, 105, 154, 155, 156, 157, 159, 195, 379, 381, 385, 386, 473, 474, 670, 672, 674, 678, 805, 806, 814, 818, 898, 906, 907, 1275, 1294.
chairman com. on public claims, **6**. 209-215, 738-739; **22**. 818, 824, 828, 830, 835, 836, 863.
character and work, **6**. 297-298.
characterized, **6**. 32; by Dobbs, **5**. 948-949; **6**. 6.
commissioner on building, **23**. 255, 365; **25**. 286, 375; on capitol, **23**. 348; on fort, **23**. 293; on navigation, **23**. 170; **24**. 593; to issue bills of credit, **23**. 516-8, 539-41; to stamp bills, **23**. 294; to sign public credit and issue, **25**. 332, 333, 362, 371, 394.
congratulates Dobbs, **5**. 334-5.
criticised as treasurer, **6**. 217-18.
death, **7**. 43, 60, 66, 87; **23**. 723.
evils from death of, **7**. xxx.
executors of report to com. on accounts, **7**. 318; report on accounts of as treasurer, **7**. 393.
exhibits accounts as treasurer, **6**. 204-9.
forms new junta, **6**. 319, 322, 324.
gives bond as commissioner to emit bills of credit, **5**. 119.
in assembly, **3**. 635; **4**. 363, 364, 375, 390, 396, 478, 489, 493, 501, 508, 539, 548, 549, 559, 651, 652, 653, 714, 716, 719, 720, 855, 856, 857, 861, 864, 865, 866, 867, 899, 900, 901, 907, 913, 976, 978, 980, 981, 983, 985, 986, 990, 993, 994, 997, 998, 1003, 1004, 1005, 1006, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1023, 1052, 1054, 1056, 1060, 1061, 1065, 1068, 1069, 1266, 1276, 1279, 1280, 1283, 1286, 1289, 1290, 1291, 1296, 1331, 1332, 1333, 1345, 1346; **5**. 44, 45, 47, 49, 50, 51, 55, 57, 58, 59, 60, 62, 63, 64, 65, 66, 67, 69, 72, 74, 192, 193, 195, 196, 197, 201, 202, 209, 212, 232, 237, 241, 242, 243, 244, 247, 248, 502, 503, 505, 518, 521, 526, 529, 530, 531, 532, 534, 539, 542, 550, 552, 553, 556, 557, 558, 665, 668, 689, 697, 698, 703, 704, 717, 734, 737, 843, 846, 848, 849, 858, 868, 883, 884, 889, 890, 894, 903, 904, 916, 917, 921, 1004, 1017, 1030, 1031, 1032, 1033, 1041, 1045, 1046, 1051, 1060, 1070, 1073, 1077, 1079, 1080, 1081, 1082, 1086, 1100; **6**. 95, 103, 132, 136, 137, 138, 140, 141, 145, 146, 150, 153, 159, 185, 189, 354, 362, 367, 368, 376, 377, 387, 389, 396, 397, 423, 427, 433, 470, 475, 480, 481, 482, 484, 488, 491, 492, 493, 514, 662, 663, 668, 670, 671, 689, 800, 801, 802, 805, 806, 811, 817, 829, 832, 893, 894, 900, 900*a*, 901, 904, 914, 920, 938, 1110, 1111, 1139, 1145, 1146, 1150, 1151, 1154*b*, 1155, 1158, 1159, 1160, 1165, 1172, 1182, 1183, 1184, 1215, 1243, 1244, 1245, 1246, 1258, 1262, 1264, 1265, 1269, 1270, 1271, 1273, 1301, 1302, 1304, 1305, 1306; **7**. 66, 67; on com. of assembly, **4**. 384, 476, 497, 502, 554, 555, 722, 736, 738, 773, 816, 817, 899, 975, 977, 986, 988, 1002, 1012, 1019, 1022, 1052, 1258, 1276, 1277, 1318, 1331, 1340, 1342; **5**. 39, 54, 181, 193, 195, 196, 207, 219, 237, 239, 240, 500, 522, 523, 527, 661, 690, 691, 693, 694, 696, 703, 716, 717, 731, 844, 873, 892, 921, 1000, 1017, 1034, 1039, 1042, 1043, 1051, 1084, 1086, 1087; **6**. 76, 98, 99, 119, 135, 136, 165, 166, 192, 350, 364, 368, 369, 392, 406, 418, 429, 436, 453, 483, 488, 641, 664, 665, 686, 690,

804, 805, 817, 823, 833, 841, 896, 904, 908, 913, 952, 1092, 1094, 1099, 1126, 1134, 1142, 1152, 1153, 1154, 1155, 1164, 1167, 1199, 1204, 1205, 1213, 1214, 1222, 1224, 1259, 1263, 1265, 1279, 1296, 1306, 1308.
in junta, **9**. xliii.
injunction against, **5**. 1085.
institutes prosecution against agents, **5**. 846.
instructions to as treasurer, **6**. 1245, 1304, 1305, 1306.
land grants to, **4**. 68, 223, 342, 603, 616, 641, 703, 1238; as executor, **4**. 616.
money to be lodged in hands of, **6**. 3.
nominated for treasurer, **4**. 1058, 1059, 1060.
notes of to be inquired into, **8**. 84.
offers to act as receiver general, **5**. 589.
on claims com., **22**. 817, 818, 823, 824, 828, 829, 830, 835, 836, 840, 863, 866.
on com. of correspondence, **6**. 39; **9**. xlii; **11**. 111; on com. of cor., **23**. 304.
on com. on revisal, **4**. 977, 991, 1000, 1007, 1011.
opposes land grant, **4**. 273.
payments as treasurer, **5**. 1037, 1083.
pays Davis as printer, **6**. 1304, 1313; in public funds, **5**. 1088; money into sinking fund, **5**. 875, 898, 899; money to Davis on order of House, **6**. 1142, 1143, 1212, 1249.
petition on trade, **5**. 321-324.
produces accounts to committee, **5**. 965-968, 969, 970.
public money in hands of, **5**. 73.
records land patent, **6**. 1019.
report as commissioner on public bills, **6**. 1294, 1295; as administrator of Vail, **6**. 498; as treasurer, **6**. 504, 505, 659, 693, 825-6, 881-2, 949-950, 1136, 1205, 1206, 1232, 1282-1283; on accounts, **5**. 796-800, 801, 802, 803, 804; on land frauds, **5**. 1088-1094; on Onslow militia, **22**. 336-344; on paper money summarized, **5**. xliv-xlvi; on public claims and grievances, **4**. 817, 823-5; public claims, **5**. 975-86; **6**. 209-15, 738-744; on reg't of, **5**. 163; **22**. 314.
rights proved, **4**. 598, 1034, 1238.
road coms'r, **23**. 221.
sketch of his life and work, **6**. xxxiii-xxxiv.
to emit public bills, **6**. 35-36; to give bond as treasurer, **6**. 40.
to employ printer, **6**. 1139-40, 1209, 1210.
to have settlement with commissioners to buy arms, **5**. 492.
to hold money, **5**. 556, 557.
to issue bills, **6**. 249.
to issue bills of credit, **23**. 392.
to pay claim, **6**. 493; expenses of keeping Indians, **5**. 1007-1008.
to regulate distribution of parliamentary grant, **6**. 305, 306.
treasurer, **5**. 51, 308, 337, 732; **6**. 121, 143, 144, 181, 182, 197, 198, 200, 203; **6**. 321, 621; **23**. 349, 400, 516, 541, 618, 664.
witness, **4**. 504.
Starkey, Jno., a J. P., **12**. 99; **23**. 995.
Starkey, Jno., in militia, **22**. 310.
Starkey, Jno., in militia, **22**. 337.
Starkey, Jonathan, pensioner, **22**. 86.
Starkey, Jos., bill to release from recognizance, **21**. 218.
Starkey, Peter, in militia, **22**. 338.
Starkey, Peter, land grant, **4**. 962, 1039.
Starkey, Wm., army pay, **17**. 247.
Starkey, Wm., petitions for land, **4**. 1037.
Starkey, Wm., petitions for McDougal, **9**. 683-8.
Starks. See Stark.
Starks, Benj., army rank, **16**. 1162.
Starks, Jno., **9**. 1068.
Starks, Mrs. Jno., **9**. 1068.
Stark's Mill, **24**. 866.
Starling, Jno., in militia, **22**. 333.
Starling, Wm., in militia, **22**. 282.
Starnes. See Stearns.
Starnes, Isaac, petition on catching fish, **9**. 87-88.
Starnes, Capt., murders Chrisman, **14**. 469.
Starns, Ebener, juror, **8**. 72.
Starns, Joseph, pensioner, **22**. 85.
Star, ——, harangues Indians, **10**. 884.
Starr, Lt. Col., **12**. 526.
Starrat, James, lieut., **10**. 519.
Starrett, Benj., juror, **22**. 502.
Start, John, settler, **1**. 76.
Startimes, Thomas, land grant to, **4**. 1247.

Stasee, Benedict, takes oath, **22.** 171.
Stasee, John, takes oath, **22.** 171.
State, power over delegates to C. C. discussed, **13.** 405-7.
purchase of supplies by, **17.** 920, 921.
suits, etc., to run in name of, **24.** 72-3.
State, Secretary of (Eng.), Spencer to on public cessation of tobacco planting, **1.** 312-13.
McCulloh to on petition of assembly, **8.** 50-51.
State debts, assumption of, **21.** 817, 877; **22.** 793, 795, 796, 799.
State Department, U. S., 22. 1049.
extracts from records of, **13.** 476, 480-481, 482, 484, 487, 488, 503, 504-526, 531; **15.** 768; **17.** 1051-2.
visited by Judge Clark, **11.** iv.
State Gazette, 18. 716; **20.** 251, 282; **21.** 365, 368, 382; **25.** 22-23, 76.
State House of North Carolina, act for, **25.** 373-8.
repairs to be made on, **12.** 85-86.
State Legion, 16. 233; **19.** 145; **20.** 220, 412.
allowance to officers, **16.** 169, 170, 177; **19.** 123.
arrangement with, **16.** 779-780.
claims against provided for, **18.** 172.
com. and. bill for payment of, **19.** 205, 212, 213, 214-215, 216, 218, 219, 220, 222, 223, 227, 229, 231, 289, 293, 307, 310, 315, 320, 323, 334, 335, 344, 346, 353, 355, 356, 358, 364, 366, 367.
com. on rank of officers, **19.** 83.
corps' memorial, **19.** 187-8, 309.
Martin to commander of on Bladen riots, **16.** 716-17; on Marion and tories, **16.** 688-691, 693.
promotion of officers, **16.** 121-122, 126; **19.** 266, 268, 309.
services paid for, **18.** 394.
State Library Trustees, 11. iii.
Colonial Records printed under direction of, **1.** iii, vi-vii.
State military orders, 16. 263-269, 272-273.
State of affairs, considered by Board of Trade, **5.** 28.
State of colony, considerations on, **8.** 121-2; by assembly, **6.** 409, 414-416.
reports to be made on, **5.** 1142.
resolves of Va. House of Burgesses on, **8.** 40-2.
Burke to assembly, **22.** vi-vii, 1033-6.
State of English and French colonies, cited, **5.** 469.
State papers, com. on, **19.** 412, 439, 741, 754, 769; and report on, **19.** 20, 76, 80, 91, 94, 95, 501, 503, 506, 508, 512, 514, 516, 518, 519, 521, 526, 530, 534, 536, 537, 542, 549, 562, 563, 564, 590, 593, 606; **20.** 13, 15, 25-26, 27, 31, 36, 41, 331.
State reception by Indians, 1. 124-6.
State records, begin, **11.** 305, 307.
period to be covered extended, **11.** v.
State Regiment, the, 22. 956, 957, 961.
bill on adjusting accounts of, **19.** 562, 575, 602, 603, 604, 605, 640,
State troops, 16. 564, 595; **20.** 9. 651, 675, 685-687, 697, 702-703, 705.
organization, **16.** 563-564.
Staten, Jesse, a volunteer, **16.** 838.
Staten, Jesse, in militia, **22.** 270.
Staten, 11. 454.
Staten, W. I., 15. 70.
Staten Island, N. J., 10. 910.
Staten Island, N. Y., 8. xli; **10.** 679; **11.** 342, 437, 514, 529, 542, 736, 739; **13.** 327, 333.
troops on, **10.** 748-9, 752; Br. defeated on, **10.** 865.
works on, **14.** 213.
States, act of C. C. to lay off out of western territory, **17.** 460-3.
board to settle accounts of, **18.** 764, 783-5.
discussion on reserve power to in C. C., **11.** 461.
forbid exportation of arms and ammunition, **9.** 1186-7.
liberty in danger, **11.** 469, 477.
not to interpret treaties, **20.** 649, 670-71.
provisions for laying out, **17.** 484.
resolutions of C. C. on settling accounts with, **16.** 1202-4.
stronger than the Confederation, **16.** xii.
to furnish clothing for troops, **14.** 341-2.
State's evidence, provision for, **23.** 955-6.
States General of Holland, 16. 362, 786; **17.** 5, 41; **18.** 610; **19.** 262.
peace with, **16.** 869.
receives Adams, **16.** 414.
treaty with, **16.** 757, 773, 783.

Statia, capture of, **15**. 601.
Statin, Aaron, to take oath, **22**. 171.
Stationery, payment for, **19**. 600.
Statistics of Albemarle Co., asked for, **1**. 232.
Statistics of population, 26. 240-1313.
Statt, Thomas, petition on C. H., **9**. 806-807.
Stattera Inlet, 5. 316.
Statuary, for council chamber, **8**. 7-8.
Statutes, act for enforcement of, **24**. 36, 113, 162-3.
act reprinted from, **3**. 32-47.
coms'rs to revise, **23**. 987.
ordinance to enforce, **23**. 992, 996.
revised quoted, **1**. 33.
Statutes of England, act to put certain s. in force in N. C., **23**. 317-329, 340.
reprint from, **2**. 858-862.
Staunton. See Stanton.
Staunton, Thos., law suit, **1**. 433.
Staunton (Stanton), Va., 5. 1201; **10**. 971.
Tory prisoners in, **11**. 607.
Staunton (Stanton) River, 4. xxi; **19**. 910.
navigation to be improved, **24**. 600.
Staves, act to inspect, **23**. 432, 485, 639-49, 790-801; **24**. 580-6, 658-61; **25**. 313-19, 378-87, 499-500.
bill to inspect, **5**. 505, 508, 510, 512, 513, 519, 535, 537, 541, 544, 546, 549, 550, 551, 558; to continue inspection act, **6**. 844, 847, 863, 866, 879-880, 883-884, 901-902, 905, 906, 911, 934, 936, 950-951, 954; to regulate inspection, **5**. 898, 1020, 1025, 1026, 1027, 1028, 1029, 1030, 1036, 1045, 1050, 1052, 1067, 1068, 1072, 1074, 1075, 1076, 1079, 1078, 1097.
British act for bounty on, **9**. 10.
exportation allowed, **10**. 685, 686, 976.
exported, **22**. 748, 749; to get salt and ammunition, **11**. 350-351; to W. I., **10**. 636, 637, 640-641, 691, 694, 707.
form of bond for exportation, **11**. 331-332.
privilege to export asked, **10**. 834.
to be exported, **10**. 969.
Stayway, Jno., army rank, **16**. 1165.
Steabee, signs Choctaw treaty, **18**. 802.
Stead. See Steed.
Stead, Benj., payment to Hardy, **5**. 969.
Stead, Nathl., loyalist, **10**. 597.
Stead, Thos., court martialed, **12**. 489.
Stead, Thos., voter, **15**. 237.
Stead, Wm., bills drawn in favor of, **11**. 207.
Steadham, Benj., in militia, **22**. 343.
Steadman. See Stedman.
Steadman (Stedman), Ben., advertises for deserters, **13**. 380.
captain, **10**. 518, 520.
in militia, **9**. 1050.
orders rendezvous of his recruits, **11**. 805-806.
payment to, **13**. 351.
rewards for deserters, **11**. 742.
to Caswell on recruiting, **11**. 645.
witness, **9**. 1005.
Steadman (Stedman), Nathan, Jr., fine remitted, **18**. 406-407, 410-411; **20**. 99-100, 108.
Steadman (Stedman), Nathan, Sr., fine remitted, **18**. 406-407, 410; **20**. 99-100, 108.
Steadmore, James, army pay, **17**. 248.
Steadmore, Josiah, army pay, **17**. 248.
Steal. See Steel, Steele.
Steal, Mr., 11. 798.
Steal, Mrs., payment to, **15**. 655.
Steal, Geo., in militia, **22**. 342.
Steal, James, petition on C. H., **9**. 806-807.
Steal, John, petition on C. H., **9**. 806-807.
Steal, Joshua, army pay, **17**. 248.
Steal, Peter, in militia, **22**. 342.
Steal, Wm., petition on C. H., **9**. 806-807.
Stealey, Thos., juror, **2**. 262.
Stealing, bill to amend act on, **5**. 877, 903.
Stealing stock, act on, **23**. 165-168, 336.
Stealman. See Steelman.
Stealman, John, army pay, **17**. 250.
Stealman, Peter, army pay, **17**. 248.
Steamboats, bill on, **20**. 131, 132, 137-138, 140, 146, 309, 315, 320.
letter of Fitch on, **21**. 202.
model of, **20**. 7-8.
Ramsey's, **17**. 182-184.
Stearn, Moses, army rank, **16**. 1159.
Stearns. See Sterns.
Stearns, Ebenezer, comes to N. C., **5**. 1167.
Stearns, Peter, comes to N. C., **5**. 1167.
Stearns (Stearnes), Shubal, asks pardon for Pugh, **9**. 29-20; for Welborn, **9**. 26-27.

dies, **5**. 1172, 1173.
history and work of, **5**. 1166-1169, 1170, 1171, 1188.
recommends Pugh, **9**. 30; Welborn, **9**. 25-26.
See also Baptists.
Stearns, Shubeal, Jr., comes to N. C., **5**. 1167.
Stedman. See Steadman.
Stedman, Capt., **11**. 601.
roster of co., **16**. 1004, 1013, 1028, 1042, 1051, 1056, 1064, 1075, 1111, 1134, 1144, 1155, 1183.
Stedman, Benj., army rank, **16**. 1155.
Stedman, Charles, his American War quoted on use of savages against Americans, **10**. 714-715.
Stedman, Nathan, coms'r on navigation, **25**. 98; on town, **24**. 882.
discharged from fines, **17**. 412.
Stedman, Nathan, in conv. 1789, **22**. 38.
Steed. See Stead.
Steed, Adj., confines deserters, **15**. 532.
Steed, Ensign, stores to, **15**. 597.
Steed, Lieut., rank, **16**. 665.
Steed, Barrier, voter, **15**. 238.
Steed, Bernier, contests election, **15**. 189.
taxable, **15**. 192.
Steed, Elizabeth, **24**. 986.
Steed, F., contests election, **15**. 189.
Steed, J., reports on stores furnished troops, **15**. 597.
Steed (Stead), Jesse, **21**. 20, 24, 39, 41.
act for mother to inherit estate of, **24**. 986.
bill to recover estate, **20**. 492, 501, 505.
Steed, Jesse, army rank, **16**. 1162.
Cont. lieut., **22**. 1049.
officer, **18**. 486.
rank, **16**. 72, 576, 608, 1154.
Steed, Nathaniel, resigns as J. P., **20**. 152, 159, 338.
Steel. See Steal, Steele.
Steel, ——, in land suit, **15**. 409.
Steel, ——, to be taken out of Cherokee nation, **10**. 783.
Steel, Mr., **8**. 521.
Steel, Mr., **16**. 222, 542.
quoted on provisions, **15**. 540.
Steel, Capt., **12**. 489.
Steel, Alexander, lapse patent to, **2**. 524-525.
land grant to, **4**. 63, 1248.
Steel, David, killed, **21**. 437.
Steel, David, land grant to, **4**. 1242.
Steel, Francis, Sr., pensioner, **22**. 84.
Steel, Joseph, a J. P., **23**. 994.
coms'r on building, **24**. 646; on town, **24**. 778.
Steel, Nunan, on Rowan S. C., **10**. 252.
Steel, Wm., army pay, **17**. 247.
army rank, **16**. 1164.
Steel, Wm., building coms'r, **23**. 863.
Steel, Wm., exempted, **9**. 451.
Steel, William, law suit, **1**. 446.
Steel, Wm., petition, **21**. 760, 788, 909, 914, 951, 954.
Steel, Wm., petition against marriage act, **9**. 623-625.
Steel, Wm., town coms'r, **23**. 810.
Steel, bounty for, **9**. 1142; **10**. v.
manufacture encouraged, **10**. 217.
Steel Creek, **7**. 1004.
Steel Creek Church, **5**. 1224, 1225, 1226; **19**. 984, 985.
Steel Creek Road, **14**. 651, 692.
Steele, Mr., wagon for, **16**. 554.
efforts to recover negro of, **14**. 758.
Steele, John, **21**. 390, 391, 808.
bill of ment'd, **21**. 505.
coms'r on building, **24**. 844; on school, **24**. 691.
corresp. with Johnston on Ind. affairs, **21**. 527-529, 535-536, 544-546, 547, 569.
in assem., **20**. 120, 121, 122, 124, 127, 130, 131, 145, 154, 163, 165, 168, 180, 185, 186, 200, 204, 213, 229, 235, 238, 239, 240, 244, 246, 248, 263, 264, 285, 287, 306, 331, 343, 344, 366, 432, 434, 478, 479, 483, 485, 501, 507, 518, 520, 532, 534, 536, 540, 541, 544, 547, 561; **21**. 3, 4, 5, 7, 8, 12, 14, 33, 38, 47, 50, 52, 56, 60, 62, 66, 68, 73, 74, 81, 84, 91, 100, 104, 109, 115, 121, 130, 133, 138, 155, 160, 166, 168, 178, 179, 190.
in conv. 1788, **22**. 4, 6, 15, 24, 25, 27, 29.
in conv. 1789, **22**. 39, 42, 47, 49.
Indian coms'r, **20**. 557, 568; **21**. 117, 127.
nom. for C. C., **18**. 80, 114, 313, 340.
petition against, and resigns as J. P., **19**. 211, 212, 341, 342, 343.
report of as coms'r Indian affairs, **21**. 263, 265, 298, 620, 639-640, 644.
Steele, Thos., patent corrected, **6**. 631.

Steele, Thos., pensioner, **22**. 86.
Steele, Thomas, proves will, **1**. 386.
Steele, Thos., to Martin on supplies, **16**. 531-532.
Steele, Wm., pensioner, **22**. 86.
Steell, Anty., army rank, **16**. 1159.
Steelman. See Stealman.
Steelman, Jno., army rank, **16**. 1153.
Steelman, Wm., pensioner, **22**. 86.
Steely, Jeremiah, pensioner, **22**. 84.
Steely, Wm., juror, **25**. 186.
Steem, Wm., army rank, **16**. 1152.
Steep Rock, **24**. 300, 301.
Steep Rock Creek, **4**. xiii, 1237.
Stegall, Bottom, to arrest Sweeny, **10**. 699.
Stegall, Jesse, pensioner, **22**. 86.
Stegall, John, army pay, **17**. 250.
pensioner, **22**. 86.
Stehelin, Martin, money advanced to import silk growers, **5**. 294.
Steigerwaldt, Frederick, pensioner, **22**. 86.
Steigerwalt, Mr., builds organ, **8**. 769.
Stein, James, petitions on land grants, **9**. 1260-1262; **11**. 250-253.
Stein, John, petitions on land grants, **9**. 1260-1262; **11**. 250-253.
Steiner. See Stoner.
Steiner, Hannar, army pay, **17**. 250.
Steiner family, **8**. 737.
Steiner's Church, history of, **8**. 737, 739.
Stekoeh, **10**. 713.
Stelie, Jacob, regulator, **7**. 737.
Stellard, Peter, army rank, **16**. 1166.
Stelle, Benj., pay to, **18**. 540.
Stemore, Geo., in militia, **22**. 384.
Sten, James, petitions on land grants, **9**. 1260-1263; **11**. 250-254.
Sten, John, petitions on land grants, **9**. 1260-1263; **11**. 250-254.
Sten, Wm., petitions on land grants, **9**. 1260-1263; **11**. 250-254.
Stenson. See Stinson.
Stenson, Samuel, claim allowed, **5**. 982.
Steon, John, petitions on land grants, **9**. 1260-1262; **11**. 250-253.
Step, Golson, reports on number of Br., **14**. 677-678.
Tory prisoner, **14**. 784.
Step, Jno., army rank, **16**. 1162.
Step, John, takes oath, **22**. 178.
Step, Jos., juror, **4**. 523.
land grant to, **4**. 348.
Stephen. See Steven.
Stephen, Mr., exchanged, **10**. 623.
Stephen, Col., serves against Cherokees, **10**. 671.
Stephen, Adam, commands at Ft. Cumberland, **5**. 635.
Stephen, John, deposition on loyalty of Dry, **9**. 1239; **10**. 246.
Stephen, Wm., juror, **2**. 112.
Stephens. See Stevens.
Stephens, ——, **17**. 127.
Stephens, Capt., troops under, **15**. 73.
Stephens, Col., on ct. of inquiry, **12**. 457.
Stephens, Col., to be consulted, **5**. 134.
to succeed Muse, **5**. 135.
Stephens, Rev. Mr., Tryon on work of, **8**. 20.
Stephens, Barnabas, reward to for deserters, **10**. 980.
Stephens, Benjamin, army pay, **17**. 246.
Stephens, Benj., owes state, **21**. 1068.
Stephens (Spephens, Stephins, Stevins), Caleb, tried for theft, **2**. 406, 408-409, 414, 439.
Stephens, Charles, petitions for division of Orange Co., **9**. 809-810.
Stephens, Daniel, prisoner, **17**. 1045.
Stephens, H., army pay, **17**. 230.
Stephens, H., army pay, **17**. 247.
Stephens, Jacob, exempted, **7**. 577.
Stephens, Jer., juror, **4**. 521.
Stephens, John, army pay, **17**. 250.
Stephens, Jno., in militia, **22**. 384.
Stephens, John, in militia, **22**. 391.
Stephens, Jno., juror, **25**. 188.
Stephens, John, pensioner, **22**. 84.
Stephens, Joseph, army pay, **17**. 251.
court martialed, **12**. 488.
Stephens, Joshua, road coms'r, **25**. 463.
Stephens, Levi, **18**. 566.
Stephens, Lewis, army pay, **17**. 246.
Stephens, Mary, act to establish deed, **24**. 468-9.
Stephens, Peter, in militia, **17**. 1057.
Stephens, Ph., **7**. 785.
Stephens, Pheneas, in militia, **22**. 338.
Stephens, Phil., letter on duel ment'd, **7**. 290.
to Board of Trade on Simpson-Whitehurst duel, **7**. 197.
Stephens, Phineas, land grant to, **4**. 710.
Stephens, Rich'd, in militia, **22**. 338.
Stephens, Richard, wagoner, **15**. 477.
Stephens (Stevens), Richard Nassau,

act to establish deed, **24**. 468-9.
claims land, **20**. 564.
in assembly, **16**. 1, 29, 38, 50, 127, 130, 153, 165, 167; **19**. 20, 396.
memorial, **19**. 55, 67, 72.
owes state, **21**. 1070.
petition considered, **16**. 87, 92, 105, 106.
refuses to take bills of credit, **10**. 701.
Stephens, Samuel, death, **1**. xvi.
deputy of Berkeley, **1**. xvi, 180.
governor of Albemarle, **1**. xiii, xv, xvi, 162; **5**. 84.
Great Deed of Grant issued, **1**. 175-176; **3**. 292; **4**. 1200.
instructions to, **1**. 162, 176, 181-183; quoted, **5**. 88-89.
land grants under, **1**. 391.
letter of Proprietors to on Great Deed of Grant quoted, **4**. 286-287.
widow marries Berkeley and Ludwell, **1**. xvii.
Stephens, Thomas, army pay, **17**. 246.
Stephens (Stevens), Thos., binds out son, **1**. 551.
Stephens, Thos., in militia, **22**. 324.
Stephens, Thos., patent altered, **6**. 332.
Stephens, Thos. T. S., witness, **1**. 485.
Stephens (Stevens), Wm., **2**. 488.
a justice, **1**. 622-627.
house robbed, **2**. 590.
petitions for return of apprentice, **2**. 262.
proves account, **1**. 624.
Stephens, Wm., land grant to, **4**. 595, 632.
Stephens, Wm., owes state, **21**. 1069.
Stephenson. See Stevenson.
Stephenson, Capt., a good officer, **11**. 431.
Stephenson, Maj. Gen., **12**. 461.
Stephenson, Abraham, army pay, **17**. 248.
Stephenson, Andrew, army pay, **17**. 248.
Stephenson, Andrew, imported, **2**. 3.
land lapses, **2**. 427.
Stephenson, Charles, juror, **4**. 522.
Stephenson, George, land grant to, **4**. 711.
Stephenson, Hugh, army pay, **17**. 247.
in army, **13**. 516.
Stephenson, Hugh, army pay, **17**. 247.
Stephenson, James, pensioner, **22**. 84.
Stephenson, John, a J. P., **4**. 47.
Stephenson, John, prisoner, **17**. 1045.
Stephenson, Joseph, army pay, **17**. 251.
Stephenson, S., clerk, **5**. 1182.
Stephenson, Silas, army pay, **17**. 246.
Stephenson, Wm., army pay, **17**. 249.
Stephenson, Wm., asks for lapsed land, **2**. 302.
Stephenson, Wm., escapes, **14**. 727.
Stephenson, Wm., saddler, **15**. 620.
Stepney (Stepne), John, a justice, **1**. 573-582, 604-613, 617-627, 649-656.
a J. P., **1**. 574-575.
appraiser, **1**. 522, 531, 549, 576, 581.
asks aid of Va., **1**. 837-838.
attorney, **1**. 561, 650.
buys land, **1**. 523.
clerk of court, **1**. 484, 485, 574.
juror, **1**. 388, 406, 407, 409, 411, 412, 426, 427, 431.
law suits, **1**. 411, 428, 455-456, 478, 480, 482.
sells land, **1**. 524.
vestryman, **2**. 208; **23**. 7.
witness, **1**. 434, 452, 535.
Stepney, John, a J. P., **4**. 47, 346.
juror, **4**. 517.
Stepney, John, Jr., juror, **25**. 186.
quit rents of, **22**. 254.
Stepney, Marcy, sells land, **1**. 524.
Stepps, John, army pay, **17**. 247.
Steptoe, John, army pay, **17**. 246.
army rank, **16**. 1160.
in N. C. battalion, **13**. 344.
Steptoe, Thos., army rank, **16**. 1165.
Sterkee, John, land grant to, **4**. 710; grant asked, **4**. 759.
Sterling. See Stirling.
Sterling, Wm., Earl of, **10**. 429; **11**. 677; **12**. 457, 461, 462, 464, 469, 472, 475, 483, 534, 535, 539, 542; **13**. 332, 734*n*.
brigadier gen., **10**. 483; **11**. 282.
commands N. C. troops at Brandywine, **11**. xv.
exchanged, **15**. 764.
in reserve at Germantown, **11**. 643, 779.
letters of on movements of Br. troops and fleet, **13**. 326-327.
location, **13**. 496.
orders to, **11**. 757, 758.
prest. of Lee court martial, **13**. 471.
reports on movement of Br., **13**. 286.
to command Cont. troops, **13**. 237.
Sterling, ——, to appear before Prov. Cong., **10**. 918.
Sterling, Capt., **7**. 239.

Sterling, Elisha, army rank, **16.** 1163.
Sterling, Isaac, army rank, **16.** 1153.
Sterling, Robt., army rank, **16.** 1163.
pensioner, **22.** 85.
Sterling, Seth, army rank, **16.** 1165.
pensioner, **22.** 84.
Sterling, Wm., a writer, **2.** 277.
Sterling, cannot be demanded for rents, **3.** 548-549, 568, 606.
committee to regulate value in bills, **4.** 419.
demanded for quit rents, **2.** 33-34, 235, 250; **4.** xiv, xvii-xviii, 21, 36-37, 109, 148, 294, 426.
instructions to Dobbs on rate of exchange for bills, **6.** 43-45.
may be demanded for quit rents, **3.** 598-599, 611.
memorial on bills considered, **6.** 70, 71, 73.
method of fixing rate of exchange criticised, **4.** 426-427.
quit rents need not be paid in, **4.** 289; payable in, **5.** 449, 451-452.
rate of exchange for, **4.** 345; discussed, **6.** 22-24; for public bills of credit, **4.** 67, 266, 267.
rents paid in, **4.** 175-176.
to be remitted to S. C., **5.** 817.
value in bills, **6.** 17, 134; in currency, **4.** 225, 245, 246, 251, 329, 416, 1073, 1124, 1125, 1127; **5.** xliv; in dollars, **24.** 475; in proc. money, **4.** xxii, 285, 468, 868, 923.
Stern, Moses, in army, **15.** 722.
reënlists, **15.** 749.
Sterne, ——, races, **13.** 493.
Sterns. See Stearns.
Sterns, John, militia captain, **24.** 292.
Sterrett, Benjamin, fined, **10.** 3.
juror, **10.** 2.
Stertevant, Barnas., army rank, **16.** 1159.
Steuart. See Steward, Stewart, Stuart.
Steuart (Stewart, Stuart), Andrew, appointed printer, and answer of assembly, **6.** 1301, 1311, 1312, 1313-1314.
payment to, **6.** 1248; of claim discussed, **7.** 335, 336, 417, 418.
prints letter on Stamp Act and suspended for same, **7.** 187-188.
prints N. C. *Gazette*, **7.** 168*a*, 168*c*.
promises to continue his paper, **7.** 124-125; to print *Gazette*, **7.** vi.
quarrel over appointment of as public printer, **6.** xxvii-xxix.
reimbursed for expenses of moving, **6.** 1313-1314, 1318.
to print laws, **6.** 1258.
Steuben, Gen. F. W. A., Baron de, 8. 733; **12.** 496, 499, 501, 506, 510; **13.** 137; **15.** 454, 456, 531, 729; **19.** 910; **22.** 535.
arms asked of, **15.** 499-500.
comes south, **14.** 792.
in command in Va., **15.** 173.
joins Lafayette, **22.** 1029.
messages to, **15.** 448, 449.
method of training of used in militia, **24.** 715, 819.
military instructions printed, **20.** 469.
movements, **15.** 449.
Smallwood quarrels with, **15.** 174, 185.
Sumner to join, **15.** 455, 465, 495; on movement of troops, **15.** 495-496, 500-501.
title refused to, **22.** 798.
to Caswell on his army regulations, **14.** 152; on training militia, **14.** 71-72.
to furnish troops, **15.** 444.
to Nash on troops, **22.** 536.
to Sumner on British in Va., **15.** 502.
wanted to attend court of inquiry on Gates, **14.** 767.
Stevans, John, quit rents of, **22.** 247.
Steven. See Stephen.
Steven, Thos., in militia, **22.** 392.
Steven, Thos., quit rents of, **22.** 243.
Stevens. See Stephens.
Stevens, ——, Barnett's report on, **7.** 162.
Stevens, Mr., claims of as clergyman, **7.** 261.
Stevens, Mr., on com. of assem., **16.** 43.
Stevens, Mr., sounds Deep Inlet, **10.** 614, 615.
Stevens, Col., 14. 527.
attacks British, **10.** 382.
location of, **14.** xiv.
Stevens, B., 15. 21.
Stevens, Benj., army rank, **16.** 1164.
Stevens, Benj., bound out, **1.** 551.
Stevens, Benj., in militia, **22.** 338.
Stevens, Caleb, juror, **25.** 185.
Stevens, Charles, claims, **9.** 489.
Stevens, Charles, on regulation of Cross Creek, **15.** 209-211.
signs Cumberland Co. Ass'n, **10.** 29-30.

Stevens, Charles, land grant to, **4.** 761.
rights proved, **4.** 626.
Stevens (Stephens), Maj. Gen. Edward, 12. 455, 462, 464, 467, 472, 475, 481, 483; **14.** 520, 614, 657, 671.
advocate of Gates, **14.** 631.
at Camden, **15.** 384.
Bd. of War to on return of troops and provisions, **14.** 449.
cartridges for, **14.** 577.
collects Va. militia, **15.** v.
commands Va. militia, **14.** 458; **15.** 18.
court martialed, **13.** 264.
in Camden battle, **14.** 584, 585.
in Germantown battle, **11.** 643.
Jefferson to on British in Va., **14.** 732-733.
location, **15.** xiii, 66.
movements, **15.** 151.
on council of war, **14.** 719.
on left at Germantown, **11.** 784.
orders to, **11.** 758.
retreats from Guilford C. H., **22.** 148.
takes troops of Buford, **14.** 722.
to Gates on Camden defeat, **14.** 568-569; on condition of troops, **14.** 556, 735-736; and movement of troops, &c., **14.** 737-739; on militia and money, **14.** 613; on militia and provisions, **14.** 637-638; on movement of his troops, **14.** 573-574; on prisoners, **14.** 752-753; on provisions, **14.** 519, 530, 594; on supplies, **14.** 729-730; on wagons, **14.** 753.
to mend cannon, **14.** 724.
work at Guilford C. H., **15.** 430.
Stevens, Edward, juror, **4.** 525.
Stevens, Edward, land grant to, **4.** 703, 804.
Stevens, Elisha, quit rents of, **22.** 254.
Stevens, George, land grant to, **4.** 350.
rights proved, **4.** 705.
Stevens, Henry, army rank, **16.** 1162.
Stevens, Henry, army rank, **16.** 1163.
Stevens, Hugh, army rank, **16.** 1164.
Stevens, Jacob, in militia, **9.** 1076.
Stevens, Jas., army rank, **16.** 1163.
Stevens, James, petitions on need of money, **7.** 866-867.
Stevens, James, witness, **1.** 523.
Stevens, Jean, binds out son, **1.** 551.
petition, **1.** 579.
Stevens, John, a J. P., **23.** 994.
Stevens, Jno., army rank, **16.** 1160.
Stevens, Jno., army rank, **16.** 1161.
Stevens, John, claims allowed, **9.** 225.
Stevens, John, dead, **15.** 759.
Stevens, John, enters caveat, **6.** 1083.
Stevens, John, in army, **13.** 509.
Stevens, John, in militia, **9.** 1075.
Stevens, John, in Prov. Cong., **10.** 914, 924.
Stevens, John, juror, **2.** 821.
Stevens, John, major, **10.** 531.
Stevens, John, resurvey to, **6.** 1073.
Stevens, John, town trustee, **24.** 21.
Stevens, Jos., army rank, **15.** 726; **16.** 1152.
Stevens, Jos., in militia, **22.** 415.
Stevens, Kin., witness, **6.** 20.
Stevens, Lewis, army rank, **16.** 1154.
Stevens, Philip, Tryon to on naval affairs, **7.** 165-166.
Stevens, Phin., land grant to, **4.** 219.
Stevens (Stevans), Phineas, land grant to, **4.** 602.
rights proved, **4.** 598.
Stevens, Richard, land grant to, **4.** 894.
Stevens, Saml., pensioner, **22.** 86.
Stevens, Thos., army rank, **16.** 1152.
Stevens, Thos., army rank, **16.** 1166.
Stevens (Stephens), Thos., juror, **1.** 415, 534.
law suits, **1.** 399, 550, 551, 565, 575.
tools to be delivered to, **1.** 579.
witness, **1.** 415, 418.
Stevens, Thos., juror, **4.** 516.
land grant to, **4.** 353, 952.
Stevens, Walter, pres. court martial, **12.** 458.
Stevens, Wm., land grants asked for, **4.** 454.
Stevens, Wm., in militia, **9.** 297.
Stevens, Wm., juror, **25.** 187.
Stevens, Wm., land grant to, **4.** 64, 851, 1244.
Stevens, Wm., stockings to, **14.** 490.
Stevens, Wm., witness, **2.** 109.
Stevenson. See Stephenson.
Stevenson, Capt., 18. 657.
Stevenson, Capt., roster of co., **16.** 1006, 1017, 1033, 1045, 1058, 1067, 1078, 1098, 1104, 1115 1130, 1137, 1147, 1159, 1172, 1176, 1179, 1187.
Stevenson, Ensign, dead, **15.** 755, 757.
Stevenson, Benj., army rank, **16.** 1156.
in army, **15.** 729.
Stevenson, Charles, land grant asked for, **4.** 440.

quit rents of, **22**. 243.
resurvey granted to, **4**. 347.
Stevenson, Charles, witness, **5**. 769.
Stevenson, Eliz., land grant to, **4**. 336.
Stevenson, George, land grant to, **4**. 765.
Stevenson, Geo., quit rents of, **22**. 243.
Stevenson, Hugh, army rank, **16**. 1159.
Stevenson, James, allowance to, **22**. 844.
Stevenson, Jas., army rank, **16**. 1158.
Stevenson, James, in militia, **17**. 1056.
Stevenson, Jas., in militia, **22**. 323.
Stevenson, James, juror, **8**. 508.
Stevenson, James, juror, **8**. 509.
Stevenson, John, a J. P., **4**. 346.
juror, **4**. 518.
petition on trade, **5**. 321-324.
Stevenson, Jno., army rank, **16**. 1161.
pensioner, **22**. 84.
Stevenson, Jno., in militia, **22**. 308.
Stevenson, John, quit rents of, **22**. 246.
Stevenson, John, Jr., in militia, **22**. 361.
Stevenson, Silas, a J. P., **23**. 993.
ammunition delivered to, **11**. 582.
army rank, **16**. 1159.
on clothes for 10th regt., **11**. 670-671.
ordered to Wilmington, **11**. 573.
Stevenson, Wm., army rank, **16**. 1153.
prisoner, **16**. 673.
Stevenson, Wm., juror, **25**. 186.
Stevenson's (John), inspection at, **25**. 313, 379.
Stewalk, Frederick, army pay, **17**. 246.
Steward. See Steuart, Stewart, Stuart.
Steward, ——, law suit of, **1**. 523.
Steward, Capt., report on militia co., **22**. 390.
Steward, Col., pres. of ct. martial, **12**. 526.
resigns as pres. of court martial, **12**. 524.
Steward, Lieut., clothier, **14**. 355.
Steward, Maj., field officer, **12**. 527.
Steward, Charles, army record, **13**. 480.
Steward, Danl., army rank, **16**. 1163.
Steward, David, lapse patent to, **2**. 563.
Steward, Jas., in militia, **22**. 315.
Steward, Jno., army rank, **16**. 1159.
in army, **13**. 506.
to Sec'y of War on promotions, **16**. 603-604, 627-628, 630-631, 653.
Steward, John, rights proved, **4**. 598.
Steward, John, sheriff, **6**. 204.
Steward, Joseph, juror, **4**. 517.
Steward, Mary, marriage, **1**. 551.
Steward, Matthew, juror, **22**. 502, 504, 505, 507, 508, 510.
Steward, Saml., army rank, **16**. 1162.
Steward, Wm., army rank, **16**. 1152.
Steward, Wm., army rank, **16**. 1153.
Steward, Wm., dismissed from court, **2**. 275.
Steward, Wm., in militia, **22**. 326.
Steward, Wm., juror, **25**. 185.
Steward, William, law suit, **1**. 494.
Stewart. See Steuart, Steward, Stuart.
Stewart, Mr., **16**. 190.
Stewart, Mr., in assembly, **4**. 835.
Stewart, Mr., letter on Martinique debt, **21**. 796, 959.
Stewart, Capt., **6**. 992.
Indian agent, **6**. 787.
invites Indians to conference, **6**. 991.
Stewart, Capt., **22**. 152.
Stewart, Capt., dead, **15**. 757.
Stewart, Capt., prisoner, **14**. 817.
Stewart, Capt., rank, **16**. 665.
Stewart, Col., **12**. 473; **16**. 492, 494.
field officer, **12**. 530.
on court martial, **12**. 542.
position of regt. in army, **12**. 509.
pres. of court martial, **12**. 513, 523.
Stewart, Lt., killed, **17**. 992.
and arrangement of Cont. Line, **16**. 508.
complaints, **19**. 948.
Greene to on needs of So. Army, **16**. 677-680.
rank, **16**. 648.
sent to assembly, **16**. 498.
Stewart, Maj., **12**. 515.
and battle of Stony Point, **14**. 327, 328.
commands marksmen, **12**. 530.
field officer, **12**. 544.
Stewart, Alexr., **24**. 469.
Stewart (Stuart), Alex., **7**. 456.
books to, **6**. 222, 231.
dead, **9**. 7.
location, **7**. 102, 457, 540; **8**. 221, 222.
sick, **7**. 98, 154.
to S. P. G. on Blinn, **8**. 51-52; on church acts and his work, **6**. 242-243; on church affairs, **6**. 976-977; on church membership in Bath, **6**. 1056; on death of Dobbs and his

own work, **7**. 3; on his work, **6**. 315-316, 562-4, 734-735, 995-996; **7**. 126-127, 263-264, 522; and his salary, **7**. 492-496; on storm, **8**. 159-160.
Stewart (Stuart), Alex., clothes of to be delivered up, **10**. 881.
in assem., **8**. 107, 296, 318, 320, 326, 333, 407, 422, 444, 455; **9**. 153, 154, 180, 223; on com. of assem., **8**. 288, 308; **9**. 154, 381.
order to for money, **22**. 448.
resurvey granted to, **5**. 819.
surety, **5**. 933.
to council of safety on his need of clothes, **10**. 843.
Stewart, Alex'r, in militia, **17**. 1042.
Stewart, Alex., in militia, **22**. 308.
Stewart, Alex., quit rents of, **22**. 254.
Stewart, Allen, ordered to raise King's standard, **10**. 441-443.
Stewart, Andrew, memorial on school, **7**. 35-36.
Stewart, Andrew, paroled, **10**. 560.
Stewart, Mrs. Anne, caveat against, **1**. 400.
Stewart, Archibald, in C. C., **17**. 556, 557.
Stewart, Black John, **11**. 562, 747.
Stewart, Caldwell, army pay, **17**. 247.
army rank, **16**. 1162.
Stewart (Stuart), Charles, army rank, **16**. 72, 576, 608.
Stewart, Chas., army rank, **16**. 1152.
Stewart, Chas., army rank, **16**. 1156.
Stewart, Chas., army rank, **16**. 1166.
Stewart, Chas., Cont. capt., **22**. 1049.
Stewart, Charles, ensign, **10**. 518.
Stewart, Charles, lieut., **13**. 520.
Stewart, Chas., officer, **18**. 486.
Stewart, Charles, prisoner, **16**. 672.
Stewart, Charles, witness, **10**. 931, 957.
Stewart, D., in conv. 1789, **22**. 49.
Stewart, Danl., army rank, **16**. 1164.
Stewart, David, exchanged, **22**. 957-8.
Stewart, Dempsy, army rank, **16**. 1166.
Stewart, Dougal, land grant asked for, **4**. 454.
Stewart, Duncan, building coms'r, **25**. 97.
in assembly, **21**. 193, 195, 232, 234, 264, 288, 294, 298, 372, 379, 411, 431, 600, 634, 644, 871, 873, 930, 931, 937, 941, 946, 965, 970, 980, 1004, 1006, 1012, 1013, 1015, 1021, 1030, 1032, 1050, 1055.
in conv. 1789, **22**. 36, 46.
Stewart, Edward, pensioner, **22**. 85.
Stewart, Elizabeth, law suit, **1**. 621.
witness, **1**. 549, 577, 581, 595.
Stewart, Geo., army rank, **16**. 1158.
lieut., **10**. 945.
Stewart, J., in conv. 1789, **22**. 47, 48.
Stewart, J., receives pay for soldiers, **17**. 198.
Stewart, James, **5**. 1209.
Stewart, Jas., army rank, **16**. 1158.
Stewart, Jas., army rank, **16**. 1159.
Stewart, Jas., army rank, **16**. 1166.
Stewart, James, contests election, **18**. 230, 243.
Stewart, James, execution suspended, **8**. 635.
regulator respited, **9**. 37.
Stewart, James, in army, **13**. 519.
Stewart, James, in army, **13**. 527.
Stewart (Stuart), James, in assembly, **18**. 245, 247, 258, 298, 311, 312, 317, 344, 346, 351, 357, 361, 376, 399, 429, 440, 468, 469, 471; **20**. 142, 143, 168, 239, 246, 265, 287, 288, 330, 479, 483; **21**. 2, 3, 6, 7, 12, 47, 52, 61, 66, 68, 74, 77, 110, 115, 121, 130, 160, 168, 179, 190.
in conv. 1788, **22**. 3, 5, 25, 27, 30, 35.
on com. of assem., **18**. 334.
Stewart, James, pensioner, **22**. 87.
Stewart, James, petitions for division of Orange Co., **9**. 809-810.
Stewart, John. See Black John Stewart.
Stewart, John, **22**. 994.
Stewart, John, a J. P., **9**. 61.
Stewart, John, allowance to, **19**. 52; **22**. 825.
Stewart, Jno., army rank, **16**. 1160.
Stewart, Jno., army rank, **16**. 1164.
Stewart, John, buys land, **9**. 174.
Stewart, John, deposition on illegal fees, **7**. 774-775.
Stewart, John, in army, **13**. 529.
Stewart, John, in assembly, **21**. 194, 196, 199, 234, 264, 288, 294, 296, 298, 305, 332, 344, 345, 346, 367, 372, 379, 382, 394, 402, 411, 432, 634, 644.
in conv. 1789, **22**. 37, 47, 48.
Stewart, John, killed, **21**. 437.
Stewart, John, land grant to, **4**. 602, 1245-6.
Stewart, John, light house coms'r, **25**. 54.
Stewart, John, paid for cart wheels, **16**. 82, 83.

Stewart, John, pensioner, **22**. 84.
Stewart, John, petition, **20**. 514, 519, 575, 578; **21**. 60, 141.
Stewart, John, robbed by Sothell, **1**. 369.
Stewart, Jno., tax collector, **19**. 706.
Stewart, John, tobacco agent, **21**. 421-422, 424; reports on tobacco, **14**. 457.
Stewart, Jos., coms'r on building, **24**. 693; on town, **24**. 775, 777, 882.
in assembly, **17**. 264, 266, 285, 293, 304, 317, 354, 359, 364, 365, 366, 368, 387, 391, 394, 395, 406, 409, 425; **18**. 229, 247, 258, 277, 284, 291, 298, 311, 312, 317, 344, 346, 351, 357, 361, 376, 412, 429, 440, 445, 468, 471; **19**. 717, 719, 743, 794, 804, 808, 812, 816, 822, 824, 827, 835; **20**. 119, 121, 127, 137, 143, 151, 154, 167, 173, 180, 192, 238, 239, 240, 246, 265, 285, 287, 288, 330, 479, 483; **21**. 1, 3, 52, 61, 66, 68, 74, 94, 109, 115, 130, 160, 179, 189, 193, 195, 202, 234, 264, 288, 292, 294, 298, 305, 431, 634, 644, 750, 751, 781, 802, 806, 815, 816, 828, 831, 839, 842, 845, 846, 851, 852, 862, 868, 901.
in conv. 1788, **22**. 2, 4, 7, 25, 28, 30, 31, 35.
on com. of assem., **18**. 15, 47, 102, 242, 255, 277.
resigns as J. P., **21**. 755, 904.
Stewart, Jos., lieut., **10**. 944.
Stewart, Jos., quit rents of, **22**. 254.
Stewart, Margaret, **5**. iii.
Stewart, Mathew, asks pardon for regulators, **9**. 98-99.
Stewart, Patrick, captain, **10**. 936.
enlistments by complained of, **10**. 961.
reprimanded by Prov. Cong., **10**. 942.
Stewart, Patrick, land grant asked for, **4**. 453; grant to, **4**. 594, 1037, 1049.
rights proved, **4**. 596, 598.
Stewart, Robert, agent for purchase of tobacco from N. C., **20**. 208, 658, 679, 686, 687, 688, 694, 698, 699-700, 716, 717, 724, 725, 726, 737, 754.
receipt of for tobacco, **20**. 728-729, 761.
Stewart, Rob., on S. C. of Bladen, **10**. 112.
Stewart, Samuel, **7**. 776.
Stewart, Samuel, a J. P., **9**. 1169.
Stewart, Thomas, **11**. 747; **22**. 994.
allowance to, **13**. 862, 955.
contests election, **9**. 745, 746.
coms'r on navigation, **24**. 966; on school, **24**. 536.
in assembly, **9**. 383, 401, 448, 449, 459, 506, 588, 717, 719, 723, 747, 758, 761, 770, 846, 847, 855, 863, 894, 902, 903, 904, 906, 917, 930, 931, 935, 952; **20**. 510, 514, 516, 517, 519, 520, 521, 526, 527, 533, 536, 543, 545, 546, 547, 550, 567, 569, 571, 573, 587; **21**. 129.
in conv. 1788, **22**. 3, 5, 25, 28, 29.
in conv. 1789, **22**. 39, 43.
on com. of assembly, **9**. 381, 450, 451.
receives pay for soldiers, **17**. 216.
Stewart, Thos., representative of State of Franklin, **17**. 376.
Stewart, Tom., **11**. 562.
Stewart, Wm., act for land to, **24**. 629-30.
Stewart, Wm., army pay, **17**. 247.
Stewart, Wm., army pay, **17**. 247.
army rank, **16**. 1196.
Stewart, Wm., asks for new county, **9**. 92.
Stewart, Wm., in army, **13**. 513.
Stewart, Wm., in army, **13**. 529.
Stewart, Wm., juror, **2**. 408, 409, 433, 442.
law suit, **1**. 621.
surety, **2**. 415.
Stewart, Wm., land grant to, **4**. 1037, 1049.
Stewart, Wm., on S. C. of Bladen, **10**. 112.
Stewart, Wm., pay to, **22**. 1013.
Stewart, Wm., petition, **19**. 162.
Stewart, Wm., quit rents of, **22**. 255.
Stewart, Wm., road coms'r, **25**. 463.
Stewart and Barr, **18**. 464, 512, 579; **20**. 701.
Stewart's (John), **21**. 458, 525, 541, 557, 566, 567.
Stewart's Creek, **15**. 780; **24**. 642.
Stewart's Mill, **18**. 81; **24**. 838.
Stewart's Ordinary, **9**. 1069.
Stewert, Samuel, a J. P., **9**. 1027.
Sthar family, **8**. 734.
Stiballs, Rich., will recorded, **1**. 591.
Stibell, Richard, administration on estate, **1**. 452.
Sticklair, Samuel, land grant to, **4**. 628.
Stickland, Samuel, land grant to, **4**. 1039.

Stigner, John, petition on C. H., **9**. 806-808.
Stile, Ben., on com. of assembly, **4**. 773.
Stiles, Daniel, claims allowed, **9**. 408, 409, 512, 520, 521.
Stiles, John, pensioner, **22**. 84.
Stiles, Richard, pirate and witness, **2**. 341, 349.
Stiley, Myatt, army pay, **17**. 249.
Still, Garret, army pay, **17**. 248.
Still, Jas., army rank, **16**. 1163.
Still, Jno., army rank, **16**. 1165.
Stillvill, Rich'd, in militia, **22**. 395.
Stillwater, battle of, report on, **11**. 638-639; **22**. 971.
Stillwell, David, army rank, **16**. 1152.
in army, **15**. 728.
Stillwell, Jacob, army rank, **16**. 1152.
Stillwell, Jacob, army rank, **16**. 1162.
receives clothing, **16**. 619.
Stillwell, John, pensioner, **22**. 84.
Stillwell, Samuel, in assembly, **4**. 856; **5**. 58.
refuses to qualify for assembly, **5**. 61, 62.
Stilwell, David, army pay, **17**. 247.
Stilwell, Jacob, army pay, **17**. 246.
Stilwell, John, army pay, **17**. 246.
Stilwell, John, petitions for pardon of Fields, **9**. 41.
Stimson, Enos, comes to N. C., **5**. 1167.
Stinkberry, John, regulator, **8**. 79.
Stinking Quarter, Germans on, **8**. 734.
Stinking Quarter Creek, Germans on, **8**. 737.
Stinson. See Stenson.
Stinson, Capt., hangs tory, **22**. 212.
Stinson, James, petition on separation, **22**. 705-8.
Stinson, John, pensioner, **22**. 86.
Stinson, John, prisoner, **19**. 970, 991.
Stinton, Eron, regulator, **7**. 734.
Stirewalt, Rev. J. N., labors in Rowan Co., **8**. 792.
Stiring, John, land grant corrected, **5**. 35.
Stirling, Lord. See Sterling.
Stirling, Walter, Tryon to on Stamp Act, **7**. 189-190.
Stith, Samuel, school trustee, **13**. 809.
Stitson, James, petition on separation, **22**. 705-11.
Stivins, William, a justice, **1**. 627.
Stoakley. See Stockley, Stokeley.
Stoakley, Jacob, voter, **15**. 237.
Stoakley, Joseph, juror, **2**. 655, 667, 668, 686.
Stoakley, Thos., voter, **15**. 237.
Stoaks. See Stokes.
Stoaks, Adam, petition on separation, **22**. 705-13.
Stobo, John, army pay, **17**. 248.
Stock, 2. 469.
act against driving on lands of others, &c., **23**. 60-61, 112-14, 333, 335; for fines for sale of, **24**. 283-5; for protection of, **23**. 218-219, 338; for toll books, **23**. 99, 334; on improving breed, **23**. 109-110, 334, 769; on keeping stockbooks, **23**. 60-61, 333; on marking and driving of, **25**. 160-1; on stealing and branding, **23**. 57-9, 165-168, 333, 336; on strays, **23**. 777-9, 854-6, 972; **24**. 35, 100-102, 131, 281, 400; to keep S. C. stock out of N. C., **23**. 676-7.
amount sent to Va., **3**. 621-622.
bill relating to, **4**. 826, 827; to regulate marking and driving, **4**. 363, 364, 390, 392, 400.
collected for army, **24**. 419.
does need to be fed in winter, **4**. 1312.
encouragement to in Albemarle, **1**. 170, 172.
injured by wild animals, **23**. 71.
irregularities in killing and branding, **4**. 824.
lack of care for, **5**. 2.
land granted for, **1**. 90.
marks, **1**. 388, 397, 402, 484, 495, 617; indictment for misuse of, **2**. 262.
not desired by Proprietors, **1**. 222.
not to be raised by slaves, **23**. 201.
rise in value, **3**. 436-437.
unmarked causes trouble, **4**. 745.
value of that sent to Va., **4**. 171-172.
Stockbridge, 8. 595.
Stockdale, Matthew, petition, **21**. 757, 908.
Stockley. See Stoakley, Stokeley.
Stockley, ——, 16. 578.
Stockley, Isaac, a J. P., **4**. 895.
Stockley, Jno., in militia, **22**. 327.
Stockley, John, land grant to, **4**. 277.
Stockley (Staakley, Stoakley), Joseph, juror, **2**. 667.
obstructed in discharge of duty, **2**. 653, 658.
Stockley, Thomas, land grant to, **4**. 952.
Stockley, Woodman, land grant to, **4**. 328.
Stockly, Jos., road inspector, **24**. 299.

Stockor, Capt., **11**. 434.
Stocks, Isaac, in militia, **17**. 1057.
Stocks, Isaac, in militia, **22**. 415.
Stocks, Isaac, on S. C. of Pitt, **10**. 38.
patroler, **10**. 63, 451.
Stocks, Jno., Jr., in militia, **22**. 415.
Stocks, Jno., Sr., in militia, **22**. 415.
Stocks, Joshua, army rank, **16**. 1163.
Stocks, Marcus, on S. C. of Pitt, **10**. 62, 99.
patroler, **10**. 63.
Stocks (punishment), **23**. 174, 280, 491, 492, 509, 680, 747, 799, 808, 863; **25**. 209.
See also Public Buildings.
Stockton, Nubery, petitions on land grants, **9**. 1260-1262; **11**. 250-253.
Stockton, Thos., claim, **20**. 194.
Stockway, Josiah, juror, **25**. 187.
Stoddard, Ben., to Gates on clothing, **14**. 551.
Stogdon, John, asks for new county, **9**. 92.
Stokeley. See Stoakley, Stockley, Stokly.
Stokeley, Jno., in militia, **22**. 387.
Stokeley, Joe ——, in militia, **22**. 387.
Stokeley, Jos., building coms'r, **24**. 630.
Stokeley, Jos., in militia, **22**. 387.
Stokeley, Peter, army rank, **16**. 1165.
Stokeley, Thos., in militia, **22**. 387.
Stokeley, Wm., in militia, **22**. 387.
Stokely, Capewell, in militia, **22**. 276, 387.
Stokely, Jno., in militia, **22**. 276.
Stokely, Thos., army rank, **16**. 1165.
Stokely, Thos., in militia, **22**. 276.
Stokes. See Stoaks.
Stokes, Capt., **16**. 840.
Stokes, David, army pay, **17**. 251.
Stokes, Drury, army rank, **16**. 1155.
Stokes, Geo., in militia, **22**. 419.
Stokes, Henry, army rank, **16**. 1161.
Stokes, Henry, regulator, **8**. 80.
Stokes, Joel, army rank, **15**. 722; **16**. 1159.
Stokes, John, coms'r on D. S. Canal, **25**. 91.
in assembly, **18**. 2, 3, 23, 24, 28, 29, 46, 59, 60, 61, 69, 77, 90, 96, 104, 111, 134, 136, 154, 156, 161, 171, 185, 287; **21**. 200, 204, 207, 208, 209, 210, 213, 218, 222, 224, 226, 227, 231, 234, 245, 246, 251, 252, 253, 254, 256, 260, 263, 278, 279, 284, 288, 290, 293, 294, 301, 302, 305, 311, 325, 332, 333, 334, 335, 340, 341, 342, 344, 345, 346, 351, 352, 362, 363, 367, 370, 372, 374, 383, 398, 403, 409, 411, 413, 433, 578, 581, 584, 588, 590, 593, 595, 613, 614, 630, 634, 647, 653, 672, 675, 701.
in C. C., **20**. 230, 244, 423, 430; **21**. 494, 495, 500.
in conv. 1789, **22**. 38, 39, 42, 43, 47, 48, 50.
judge, **20**. 592, 597; **21**. 180, 184, 349, 400, 412, 430, 712, 717.
nom. for C. of S., **21**. 251, 611; for Indian coms'r, **20**. 557; **21**. 117; for U. S. Senator, **21**. 253, 266, 314, 614, 623, 653.
on com. of assem., **18**. 4, 25, 31, 34, 37, 39, 45, 47, 63, 64, 65, 104, 110, 111, 127, 128, 143, 151, 159, 163, 178, 217, 237, 256, 262, 264, 272, 282, 283, 284, 299, 338, 351, 353, 367, 383, 386, 400, 425.
resigns as judge, **21**. 197, 200.
to Johnston on his commission as judge, **21**. 525.
trustee univ., **25**. 22.
Stokes, John, officer, **18**. 449, 458.
prisoner, **16**. 672.
Stokes, Marcus, on S. C. of Pitt, **10**. 62, 99.
Stokes, Mathew, on S. C. of Pitt, **10**. 37.
Stokes, Montford, **10**. 870*f*.
clerk, **18**. 6, 10, 231, 238; **20**. 303, 477; **21**. 731.
Stokes, Rich'd, pensioner, **22**. 84.
Stokes, Thos., coms'r on building, **24**. 836; on school, **24**. 876.
receives pay for soldiers, **17**. 238.
Stokes, Wm., in conv. 1788, **22**, 3, 5, 25, 28, 29.
Stokes, Young, army rank, **16**. 1155.
Stokes Co., **5**. 1159, 1161, 1162, 1163; **21**. 854, 857, 1017, 1034; **22**. 100, 140, 151; **25**. 3.
act for town in, **25**. 96-7; on jurors, **24**. 15; to establish, **25**. 13-15; to fix time of co. ct., **25**. 16.
Baptists in, **5**. 1186.
bill for town in, **21**. 783, 789, 942, 947, 955, 988, 996, 1002; to fix clerk's office, **21**. 803.
census of 1790, **26**. 1096-1123.
Germans in, **8**. 729.
Lutherans in, **8**. 765.
members in assembly, **21**. 730, 769, 872.

Nussmann preaches in, **8**. 763.
owes State, **21**. 1078.
Stokey, Thos., taxable, **15**. 192.
Stokly. See Stoakley, &c.
Stokly, Jos., quit rents of, **22**. 248.
Stolkey, Thos., contests election, **15**. 189.
Stollings, Jas., army rank, **16**. 1155.
Stomer, Henry, army pay, **17**. 248.
Stonakoohoopoie, signs Choctaw treaty, **18**. 802.
Stone. See Stein, Stones.
Stone, Mr., in Md. Leg., **16**. 794.
Stone, Mr., sells pork, **17**. 767.
Stone, Capt., offers to capture Indians, **2**. 298.
rents, **2**. 388.
sends proclamation, **1**. 879.
to be seized, **1**. 776-777, 778.
Stone, Col., wounded, **11**. 782.
Stone, Widow, owes Pollock, **2**. 388.
Stone, Andrew, recommends suspension of Murray and Rutherford, **5**. 957-958.
to Board of Trade on McCulloh's quit rents and settlement, **5**. 626-627.
to Dobbs on assembly, **6**. 539-541; on public affairs, **5**. 607-608.
to King on court acts, **6**. 25-28; on representation act, land grant and quit rents, &c., **5**. 81-108.
Stone, Benj., army rank, **16**. 1160.
on S. C. of Wilmington Dist., **10**. 215.
to value houses, **10**. 337.
Stone, David, in assembly, **21**. 740, 747, 751, 763, 770, 775, 788, 797, 812, 871, 873, 884, 886, 887, 894, 897, 913, 920, 921, 927, 929, 930, 931, 936, 937, 941, 950, 954, 958, 965, 970, 977, 980, 999, 1003, 1004, 1006, 1050, 1055.
in conv. 1789, **22**. 36, 47, 48.
Stone, David, in militia, **22**. 342.
Stone (Sloan), Fergus, bill for town on land of, **21**. 278, 283, 329, 396, 630.
Stone, Henry, no allowance to, **22**. 879.
Stone, J. H., to Gates on supplies to army, **14**. 673.
Stone, Joel, army pay, **17**. 249.
Stone, John, army pay, **17**. 248.
Stone, John, army pay, **17**. 250.
army rank, **16**. 1162.
Stone, John, asks for lapse patent, **2**. 487.
Stone, John, Baptist minister, **5**. 1188.
Stone, John, owes State, **21**. 1068.
Stone, John, pensioner, **22**. 87.
Stone, Jonathan, pensioner, **22**. 87.
Stone, L., in assembly, **12**. 368, 380, 388, 395, 399, 408, 422, 430, 441.
Stone, Littleberry, army pay, **17**. 246.
Stone, Martin, gun impressed, **22**. 413.
Stone, Peter, Sr., pensioner, **22**. 87.
Stone, Thos., in militia, **22**. 281.
Stone, Wm., asks for new county, **9**. 89.
Stone, Wm., in militia, **22**. 343.
Stone, Zedekiah, army pay, **17**. 248.
coms'r on guns, **10**. 952; on Indians, **24**. 173; to take subs. for D. S. Canal, **25**. 83; on town, **23**. 959.
in assembly, **12**. 271, 349, 368, 374, 388, 395, 422, 549, 573, 595, 613, 622, 764; **13**. 533, 537, 553, 556; **18**. 10, 18, 19, 24, 28, 59, 61, 67, 69, 90, 111, 129, 134, 136, 154, 156, 161, 171, 185, 190; **19**. 372, 375, 413, 489, 523, 550, 622, 643, 650, 671, 674, 676, 682, 688, 720, 729, 737, 773, 778, 794, 805, 816, 821, 824, 827, 832, 835.
in Prov. Cong., **10**. 164, 166, 172, 913, 915.
on com. of assembly, **12**. 129, 156, 287, 319, 560, 563, 572, 578, 666, 669, 691, 775, 789, 834, 850; **13**. 540, 542, 543, 638, 641; **18**. 15, 51, 55, 111, 127, 128, 245, 286, 292, 353.
on com. of Prov. Cong., **10**. 185, 917, 948.
payment to for guns, **10**. 989.
petitions for Windsor as C. H., **9**. 804-805.
resigns as J. P., **19**. 480, 820, 824.
to procure arms, **10**. 524.
Tuscarora commissioner, **12**. 427, 431,
Stone, absence of, **5**. 10.
presence of, **5**. 10, 14.
Stone Creek, **4**. 330.
Stone Ferry, report on losses at, **15**. 751.
Stone House Creek, **4**. 1090; **23**. 249, 754; **24**. 529.
Stone Mountain, **21**. 257, 271, 397, 626; **25**. 4.
Stoneham, Thomas, dismissed by court, **2**. 475.
tried for abusing constable, **2**. 407, 408, 414, 415, 440.
Stoneman, Jas., in militia, **22**. 453.

Stoner. See Steiner.
Stoner, Abraham, pensioner, **22**. 84.
Stoner's Church, history of, **8**. 737.
Stoner's Lick, 25. 32.
Stoner's Mills, Va., 14. 733.
Stones. See Stone.
Stones, Jno., quit rents of, **22**. 254.
Stones, Joshua, dismissed by court, **2**. 508.
Stone's Creek Camp, 8. 599, 675, 717.
Stone's River, 24. 826.
Stono, S. C., 13. 344; **14**. 110, 111, 119, 126, 323, 324, 325; **16**. 499; **19**. 958.
battle of, **22**. 122, 129.
British at, **15**. 349, 354; leave, **16**. 473.
Dixon wounded at, **14**. 311.
reports on battle, **14**. vi, 120-121, 129, 137-138, 142, 311-313, 315; on losses at, **15**. 751.
troubles at, **11**. 46.
Stono Ferry. See Stono.
Stono (Stonowe, Stonoh, Stonoe) River, 1. 209; **2**. 869; **14**. 311; **15**. 43.
boundary of Colleton Co., **1**. 377.
Stony Creek, 4. 966; **7**. 1004; **9**. 1064; **12**. 166, 337; **19**. 969, 990; **22**. 100; **23**. 215, 216, 503.
Stony Creek Church, 5. 1216.
Stony Point, 15. 157.
battle of, **15**. 188.
bravery of troops at, **14**. 187, 190, 191.
British evacuate, **14**. 213.
N. C. troops at, **14**. viii.
orders of Wayne at, **14**. 326-327.
report on battle of, **14**. 327-330, 334, 337.
success at, **14**. 199, 202.
Stoper, Wm., nominate Turner as naval officer, **6**. 41-42.
Stopplins, Chas., juror, **25**. 189.
Storch, Carl August Gottleib, attends N. C. Synod, **8**. 773.
Boger a student under, **8**. 731, 749.
on condition of Lutheran churches in N. C., **8**. 772.
pastorates, **8**. 776.
work in N. C., **8**. 765, 766, 767, 768, 769, 772, 774, 775, 776, 777, 778, 779, 781, 783, 786, 787, 793.
Storch, George Friedrich, 8. 765-766.
Storekeeper, for Ft. Johnston and salary, **6**. 169-170.
for ordinance, needed, **5**. 885.
quarrel over narrated, **6**. 297.
salary considered, **6**. 196, 197, 199.
Stores, act to establish, **24**. 322-4.
destroyed, **15**. 560, 561; by Br., **15**. 571-572.
removed from Halifax, **15**. 558.
report on, **22**. 614-15; at Halifax and Hillsboro, **15**. 479, 484-486; on impressment of, **22**. 542-3.
return of those issued to N. C. brigades, **15**. 597; of impressments, **15**. 524.
supplies of considered, **15**. 594.
to be guarded against Br., **15**. 566, 568, 572, 574, 579, 600.
to be moved to Moravian Town, **15**. 541, 542.
Storey, John, pay to, **22**. 487.
Storm, 13. 490.
at Ocracock, **13**. 468.
effects of, **5**. 596; **8**. 89, 92, 115, 131.
in Pasquotank Co., **10**. 574.
reports on, **8**. 71, 72-75, 159-160.
Tryon on, **8**. 194.
wrecks Spanish ships, **4**. 1031.
Stormont, Lord, leaves France, **13**. 354.
Storry, Wm., army rank, **16**. 1158.
Storry, Wm., land grant to, **4**. 349.
Story, Caleb, army rank, **16**. 1159.
Story, George, claims proved, **8**. 517.
Story, Peter, in militia, **22**. 422.
Story, Thos., dismissed by court, **2**. 480.
Story, Wm., army pay, **17**. 249.
Story, Wm., exempted, **7**. 360.
Stothin, Neil, petitions on roads and ferries, **5**. 164-166.
Stott, Watson, allowed to leave State, **10**. 962.
Stough, Andrew, pensioner, **22**. 86.
Stough, Martin, pensioner, **22**. 86.
Stoughton, Wm., lt. gov. Mass., **1**. 469.
Stout, Zebulon, stops survey, **5**. 494.
Stovall, Bartholomew, in militia, **22**. 366.
Stovall, Bartholomew, in militia, **22**. 375.
Stovall, Barth'w, takes oath, **22**. 177.
Stovall, Benj., refuses to take oath, **22**. 177.
Stovall, Drury, takes oath, **22**. 176.
Stovall, Jno., in militia, **22**. 365.
Stovall, Jno., in militia, **22**. 375.
Stovall, John, takes oath, **22**. 176.
Stovall, John, takes oath, **22**. 177.
Stovall, Jno., Jr., in militia, **22**. 365.

Stovall, Jno., Jr., in militia, **22**. 375.
Stovall, Josiah, asks relief from church tax, **9**. 95-96.
petition on who are tithables, **9**. 97.
takes oath, **22**. 177.
Stovall, Thos., pensioner, **22**. 85.
Stovall, Thos., takes oath, **22**. 177.
Stovaul, Drury, in militia, **22**. 162.
Stovaul, John, Jr., in militia, **22**. 163.
Stovaul, Josiah, in militia, **22**. 163.
Stovaul, Wm., in militia, **22**. 163.
Stovaul, Wm., takes oath, **22**. 177.
Stove, Warren, army rank, **16**. 1163.
Stover, Abraham, land grant to, **4**. 1253.
Stow, Lt. Col., field officer, **12**. 536.
Stow, Samuel, Jun'r, in militia, **22**. 497.
Stow, Samuel, Sen'r, in militia, **22**. 497.
Stow, Thomas, in militia, **22**. 497.
Stow, Wm., pensioner, **22**. 85.
Stowe, ——, shipmaster, **13**. 355.
Stowe, Benjamin, to Dry on seizure of vessels, **7**. 177-178.
Stowell, Lieut., dead, **15**. 757.
Stra——, ——, quoted, **8**. 36.
Strachey, Mr., peace commissioner, **16**. 452.
Strader, Geo., army rank, **16**. 1152.
Strader, Henry, regulator, **7**. 737.
Strader, John, pensioner, **22**. 84.
Strader family, **8**. 734, 738.
Strades, Francisco de, Sp. prisoner, **22**. 271.
Stradley, Edward, army pay, **17**. 247.
army rank, **13**. 524; **16**. 1153.
Stradley, Jas., army rank, **16**. 1159.
Stradley, Thos., Baptist minister, **5**. 1192.
Strafford, DeGraffenried in, **1**. 911.
Strahan. See Straughan.
Strahan, David, in militia, **22**. 380.
Strahan (Straughan), Othniel, land grant to, **4**. 711, 884.
road coms'r, **25**. 481.
Strahann, Alex., land grant to, **4**. 330.
Straights, The. See Streights.
Strain, Robert, asks pardon for Fruit, **9**. 93-94.
Strain, Thomas, asks pardon for Fruit, **9**. 93-94.
Straiter, Henry, takes oath, **22**. 179.
Strakley, Thomas, land grant to, **4**. 963.
Stranaland, James, army pay, **17**. 247.
Stranaland, Robert, army pay, **17**. 247.
Stranfield, Wm., army rank, **16**. 1166.
Strange, ——, **19**. 891.
Strange, ——, cited, **15**. 671.
Strange, Edmund, army pay, **17**. 250.
Strange, Elizabeth, pension to, **9**. 397, 400, 496, 504, 521.
Strange, Ephm., army rank, **16**. 1161.
Strange, James, army pay, **17**. 246.
in army, **15**. 722.
Strange, John, imports goods contrary to resolution, **10**. 476-477.
Strange, John, opinions on blank patents, **4**. 318-323, 326.
report on quit rents and staple commodities, **4**. 286-291.
Strange, John, pensioned, **9**. 131, 206, 213, 214, 220.
petitions assembly for relief, **9**. 63-64.
witness against Bourk, **10**. 471.
wounded at Alamance, **9**. 397, 400, 496, 504.
Strange, Lot, imports goods contrary to resolution, **10**. 476-477.
Strange, Robert, depositions on revolutionary service made before, **15**. 784-789.
Strange, Wm., army rank, **16**. 1165.
Strange, Wm., nom. for clerk, **21**. 201.
Strangers, act on trading with Indians, **23**. 2, 95.
not to trade with Indians, **1**. 187, 231.
Stranges, Jas., army rank, **16**. 1156.
Stranges, Jas., army rank, **16**. 1161.
Strape, Saml., pensioner, **22**. 86.
Stratten, Wm., pensioner, **22**. 84.
Stratton, **6**. 1015.
Straughan. See Strahan, Strain, Strawn.
Straughan, Alex'r, land surveys for, **2**. 541.
Straughan, Oth'l. See Strahan, O.
Straughan, Richard, army pay, **17**. 251.
Strawberry Baptist Asso'n, **5**. 1187.
Strawberry Branch, **6**. 768.
Strawberry Hill, **21**. 491, 540.
Strawhorne, Moses, in militia, **22**. 415.
Strawn. See Strahan, Strain, etc.
Strawn, Richd., army rank, **16**. 1165.
Strayhorn, Gilbert, furnishes supplies to Tryon, **8**. 620.
Strayhorn, John, in Indian war, **10**. 759.
pensioner, **22**. 86.
Strayhorn, Wm., pensioner, **22**. 85.

Strays, act on, **23**. 777-9, 854-6, 972; **24**. 35, 100-102, 131, 281, 400.
bill on, **5**. 1024, 1065, 1066; **6**. 124, 128, 129, 150, 163; **20**. 156, 159, 175, 339, 355, 456; **21**. 753, 759, 790, 889, 903, 912, 948, 956, 957; on taking up, **12**. 52, 55, 112, 144, 163, 165, 178, 204, 220, 254, 285, 305, 308, 310, 322, 331, 333, 380; **13**. 358; to amend act, **20**. 498; to prevent abuses in, **6**. 852, 854, 917, 920, 921; **8**. 100, 131, 325, 349, 356, 392-393, 394, 408; **9**. 387, 470, 471, 842, 848, 852, 861, 894, 895, 907, 910, 913, 914, 928, 1014; **17**. 660-661, 741; to regulate, **7**. 565, 592, 599, 604, 606, 614, 616-617, 620, 633, 636, 640, 644, 653, 655, 656-657, 896, 897, 898, 900, 908, 921, 935, 937, 939, 944, 960, 962, 978; to repeal act on and prevent abuses, **18**. 40, 131, 265, 275, 278; to take up, **6**. 456, 490; **7**. 308, 376.
masters for, **10**. 589.
officers to take up, **13**. 902, 903, 994, 995.
Streen, Dan., land grant to, **4**. 349.
Street, Alexander, petition on separation, **22**. 705-8.
Street, John, **12**. 465.
Street, John, army pay, **17**. 251.
army rank, **16**. 1155.
Street, Richard, petition, **21**. 888.
Streider, George, army pay, **17**. 246.
Streights, The, act on fish in, **23**. 803.
bill to permit destruction of fish, **8**. 349, 355, 359, 392, 394, 408, 412, 417-418, 420, 429.
Strenwyk, Baron Vos Van, **17**. 130, 131.
Strewsburry, James, tried for murder, **5**. 977, 981.
Strey, Robt., juror, **25**. 190.
Strichlin, Ann, witness, **20**. 176, 235.
Strickland, Frederick, army pay, **17**. 263.
Strickland, Jacob, land grant to, **4**. 710.
Strickland, Jacob, petitions for repeal of tax on free negroes, **6**. 982-983.
Strickland, Jno., army rank, **16**. 1162.
Strickland, John, in prison, **15**. 532.
Strickland, Joseph, land grants to, **4**. 708, 709, 710.
petitions for repeal of tax on free negroes, **6**. 982-983.
Strickland, Lot, pensioner, **22**. 86.
Strickland, Marmdk., army rank, **16**. 1162.
Strickland, Matthew, land grant to, **4**. 704.
land lapses, **2**. 674.
Strickland, Samuel, land grant to, **4**. 1244.
Strickland, Samuel, son exempted, **6**. 900*a*.
Strickland, Stephen, exempted, **6**. 900*a*.
Strickler, Jno., army rank, **16**. 1154.
Strickley, Marmaduke, in prison, **15**. 532.
Stricklin, Burwell, petition, **18**. 116, 183, 342, 410, 416.
Stricklin, Frederick, army pay, **17**. 250.
army rank, **16**. 1162.
Stricklin, Lot, pensioner, **22**. 87.
Striker, John, in army, **13**. 517.
Striker, Valentine, **22**. 835.
Stringer, Mr., **20**. 755.
Stringer, Allen, army pay, **17**. 250.
Stringer, Daniel, pardoned, **16**. 589, 590.
Stringer, Dorothy, exempted, **5**. 529.
Stringer, Francis, **23**. 248.
a J. P., **4**. 1038.
chairman committee of whole, **4**. 1283.
coms'r of fortifications, **23**. 293; on county, **23**. 248, 250.
dead, **5**. 61, 62, 192.
in assembly, **4**. 815, 823, 825, 826, 835, 836, 839, 840, 841, 842, 855, 984, 1066, 1071, 1260, 1262, 1278, 1279, 1283, 1284.
land grant to, **4**. 274, 277, 329, 335, 589, 649, 709, 712, 799, 896, 948.
on com. of assembly, **4**. 864, 899, 977.
on com. to examine and compare revisal, **4**. 977, 991.
rights proved, **4**. 619.
road coms'r, **23**. 222.
to report on propositions and grievances, **4**. 817, 823.
Stringer, George, exempted, **4**. 1026.
Stringer, Hezk., army rank, **16**. 1166.
Stringer, Jno., army rank, **16**. 1159.
Stringer, Jno., army rank, **16**. 1165.
Stringer, John, exempted, **4**. 1026.
Stringer, John, exempted, **8**. 335.
Stringer, John, in army, **13**. 522.
Stringer, John, in army, **13**. 527.
Stringer, John, land grant asked, **4**. 708, 887.

Stringer, John, regulator, **7**. 813.
Stringer, Josiah, army rank, **13**. 519; **16**. 1156.
Stringer, Minger, army rank, **16**. 1163.
Stringer, Noah, army rank, **16**. 1163.
Stringer, Saml., army rank, **13**. 521; **16**. 1156.
Stringer, Watson, army pay, **17**. 250.
Stringer, Wm., in militia, **22**. 324.
Stringer's Ferry, inspection at, **25**. 380.
location of capital at discussed, **5**. 342, 344, 416.
selected as location of capital, **6**. xiii-xxv.
Stringfielder, Wm., a J. P., **23**. 993.
Stringhams, James, land grant to, **4**. 1245.
Striplin, Newton, army pay, **17**. 246.
Striplin, Thomas, army pay, **17**. 246.
Striven, Jas., army rank, **16**. 1160.
Strobel, Rev. Philip A., pastor, &c., **8**. 794.
sketch, **8**. 793, 794.
Strobrook, Wm., vessel of seized, **10**. 508.
Stronger, George, land grant to, **4**. 273.
Strongfellow, Wm., regulator, **7**. 813.
Stronge, Stephen, petition on separation, **22**. 705-9.
Strother, Christopher, army pay, **17**. 246.
Strother, Francis, in militia, **22**. 377.
Strother, Francis, in militia, **22**. 379.
Strother, John, visited by Hinton, **16**. 78.
Strother, Lawrence, in militia, **22**. 377.
Strother, Wm., reprieved, **6**. 1009, 1017.
Stroud, Abraham, regulator, **7**. 735.
Stroud, David, in militia, **22**. 380.
Stroud, James, **15**. 432.
Stroud, Jno., army rank, **16**. 1152.
Stroud, John, church commissioner, **2**. 874.
Stroud, John, in army, **15**. 723.
Stroud, John, in Indian war, **10**. 754.
Stroud, Jno., in militia, **22**. 371.
Stroud, Jno., in militia, **22**. 372.
Stroud, Jno., in militia, **22**. 451.
Stroud, Joshua, claim, **9**. 487.
Stroud, Lott, army rank, **15**. 723; **16**. 1159.
Stroud, Thos., in militia, **22**. 451.
Stroud, Thos., protests against regulators, **8**. 273-275.
Stroud, Wm., in militia, **22**. 367.
Stroud, Wm., in militia, **22**. 371.
Stroud, Wm., in militia, **22**. 372.
Stroud, Wm., land grant to, **4**. 625.
Stroud, Wm., Jr., juror, **7**. 842.
Stroude, John, reënlists, **15**. 749.
Stroude, Wm., land grant to, **4**. 703.
Stroude, Wm., Jr., juror, **8**. 72.
Stroup, Adam, pensioner, **22**. 86.
Strout, Chas., in militia, **22**. 340.
Strout, Jacob, in militia, **22**. 340.
Strucker, John, in army, **21**. 88.
Strudwick, ——, **9**. 1070.
Strudwick, Mr., **8**. 703.
Strudwick, Sam'l, **9**. 265, 267, 1024, 1063, 1079.
appd. to council, **7**. 545.
appoints Barrow deputy clerk of pleas, **9**. 1005; Osborne clerk, **9**. 318, 319.
arrears of salary due to, **9**. 655.
asks salary for council, **9**. 375-376.
at council of war, **7**. 842.
buys Burrington lands, **6**. 578-580.
certifies to act as secretary and is certified to by Martin, **11**. 238-239.
character, **10**. 404; **11**. 726.
character good, **9**. 621.
claims, **9**. 591; allowed, **9**. 953.
clerk of pleas, **9**. 308, 359, 374.
commission as member of council, **11**. 210, 211.
commissions Neel as county clerk, **9**. 351.
consulted on court law, **8**. 276.
in council, **7**. 532-535, 555-568, 672-673, 690, 720-723, 729-731, 750-752, 783, 792-794, 800-806, 850-851, 870-871, 872-874, 890-895, 896-917; **8**. 25-27, 36-38, 513; **9**. 19, 228-230, 273-4, 293-5, 325, 326, 327-8, 372, 376-447, 594-596, 601-607, 644, 706-710, 712-733, 788-791, 823, 830-831, 834-874, 954-955, 981-983, 1018-1020, 1132-1133, 1136, 1144-1146, 1171, 1177-1178, 1207, 1211, 1215-1216, 1221, 1229.
in debt, **9**. 995.
lieut. gen. in reg. campaign, **7**. 831, 833; **22**. 870, 871.
memorial, **17**. 661-662, 743; **18**. 28, 66, 96, 258, 301; **19**. 505, 510, 511, 529, 530, 567.
nominated for council, **7**. 160; for C. of S., **19**. 188, 312; **20**. 226, 414, 495; **21**. 26, 386, 703.
offers to farm quit rents, **8**. 53.

on com. of council, **7**. 893, 898, 940; **9**. 382, 453, 710, 712, 745, 834.
opposes court bill, **9**. 975; inferior courts, **9**. 822, 830.
petition to assembly on relief from taxes, **15**. 212.
recommended as receiver gen., **10**. 245, 246; for council, **7**. 247.
refuses to see Burke, **15**. 652.
rents office of secretary and qualifies, **9**. 263, 264.
resurvey to, **6**. 1085.
road coms'r, **23**. 910.
secretary, **9**. 230.
sick, **9**. 1056.
takes administrator's bond, **9**. 283-284.
tenants determine to hold lands of, **7**. 712.
to —— on land, **9**. 697-698.
to Burke on land troubles, **15**. 408-410; on outrages by soldiers, **15**. 503-504.
to return to N. C., **8**. 168.
Williams to appear in place of, **9**. 346.
Strudwick, Mrs. Samuel, 9. 995.
Strudwick, Wm. F., in conv. 1789, **22**. 38, 46, 49.
Struggle for existence under Proprietors, 2. xvii-xviii.
Struggle for representation. See Representation, Struggles for.
Strumball, Thos., juror, **25**. 186.
Strus, Wm., takes oath, **22**. 168.
Struty, Wm., pay to, **22**. 472.
Stuard. See Stewart, &c.
Stuard, Robt., in militia, **22**. 360.
Stuard, Wm., in army, **15**. 735.
Stuard, Wm., petitions on land grants, **9**. 1260-1263.
Stuart. See Steuart, Steward, Stewart, Stuard.
Stuart, —— (bro. to Capt. S.), 22. 1000.
Stuart, —— (brother of John), arrives among Cherokees, **22**. 743.
Stuart, ——, negro, **12**. 360.
Stuart, Mr., 22. 407.
Stuart, Mr., arrested, **10**. 744.
Stuart, Mr., complains, **8**. 12.
Stuart, Mr., reports on Moore's Creek battle, **10**. 491.
Stuart, Mr., work of in Conn., **11**. 767-768.
Stuart, Rev. Mr., 7. 456.
Stuart (Stewart?), Rev., to S. P. G. on his work, **7**. 263-264.
Stuart, Widow, 2. 803.
Stuart, Capt., 22. 1000, 1005.
Stuart, Capt., takes letter to Eng., **1**. 686.
Stuart, Capt., escapes Cherokees, **6**. 314.
Stuart, Col., 12. 455.
Stuart, Lt., wounded, **15**. 638.
Stuart, Lt. Col., transports stores, **16**. 272.
Stuart, Maj., location, **15**. 261.
loyalist, **10**. 602.
Stuart, Anne, imports persons, **1**. 415.
Stuart, Charles, 19. 608.
Stuart, Charles, reports on Creek troubles, **7**. 270.
Stuart, Donald, loyalist, **10**. 598, 600.
Stuart, Ezra, shipmaster, **8**. 545.
Stuart, Henry, account of proceedings with Cherokees in their war on settlers, **10**. 763-785.
talk to from the Raven, **22**. 995.
to Watauga settlers, warning them to join British, **10**. 606-607.
Stuart, James, a J. P., **22**. 691.
Stuart, James, coms'r on boundary, **24**. 974; on building, **24**. 142; on town, **24**. 309.
Stuart, James, com. to examine accounts of, **12**. 202, 206, 214, 215, 216, 381, 391-393, 397.
Stuart, James, marauders at house of, **22**. 693.
Stuart, James, officer, **22**. 702.
Stuart, James, on regulation of Cross Creek, **15**. 209-211.
Stuart, James, petitions for division of Orange Co., **9**. 809-810.
Stuart, James, prisoner, **22**. 751.
Stuart, John, 7. 116, 148.
Stuart, John, asks pardon for Hamilton, **9**. 39, 84-5; for Hunter, **9**. 85.
Stuart, John, enlists, **22**. 444.
Stuart, John, in Prov. Cong., **10**. 165.
Stuart (Stewart), John (Ind. supt.), **10**. 341, 342, 343, 344, 345.
and Cherokee boundary, **7**. 448, 461, 462, 463, 464, 468, 469, 471, 500, 996, 999, 1009.
allows Tuscaroras to join Six Nations, **7**. 293-294.
approves removal of Tuscaroras, **7**. 431.
attends Indian congress and part taken in same, **11**. 156, 157, 158, 159, 161, 162, 163, 179, 180, 182, 183, 186, 189, 191, 199, 203, 205.

brings ammunition to Indians, **22**. 755.
Cameron to on Indian affairs, **7**. 215-216.
Cherokees expect ammunition from, **22**. 743.
correspondence with on Indian congress, **11**. 163-167, 169-170, 171, 173, 174-176, 178.
Creeks talk with, **11**. 167-168, 169.
deputy seizes representatives of colonies, **10**. 657.
dies, **14**. 247.
fighting promised to by Indians, **10**. 838.
Germain to on employment of Indians, **10**. 793-795, 893-894.
Hillsborough to on Indian affairs, **9**. 8; on rank of Indian supt., **8**. 21.
incites Cherokees, **10**. 702; **11**. 393.
intentions of discussed, **10**. 329-330.
letter of ment'd, **8**. 250, 251; laid before assembly, **12**. 4, 5; on Indian affairs laid before council, **7**. 446.
made member of council in each province, **11**. 230-231.
makes treaty with Cherokees, **7**. 851-855.
meets Creeks at Augusta, **7**. 866.
orders Indians not to make peace, **10**. 845; whites off Cherokee lands, **10**. 885.
reports of ment'd, **7**. 404; on intrusions on Cherokee lands, **9**. 982.
sends Creeks to aid Cherokees, **10**. 845; letters to loyalists, **10**. 714.
Sommerhall to on Rambo, **7**. 866.
supplies Cherokees, **11**. 344.
talk of to Indians, **11**. 180-182.
tampers with southern Indians, **9**. 1219-1220.
to Board of Trade on Indian affairs, **7**. 232-240, 279-283.
to Dartmouth on encroachments on Indian lands, **9**. 1106-1107; on Henderson and Transylvania, **9**. 1173; on Indian affairs, **10**. 117-119, 348, 392-393.
to Fauquier on Indian affairs, **7**. 267-271.
to Germain on Cherokee attack on frontiers, **10**. 762-763; on Indian affairs, **10**. 607-608.
to Hillsborough on Indian affairs, **7**. 839-840; **8**. 1-3; on land cessions by Cherokees, **8**. 553-554; on rank of Indian superintendent, **8**. 62.
to Martin on Indian affairs, **9**. 825-826.
to Pownall on southern Indians, **7**. 108, 109-112.
to Tryon on Indian affairs, **7**. 213-215; and Cherokee boundary, **7**. 164-165.
transmits treaty at Hard Labor, **8**. 25-26.
Tryon to on Cherokee affairs, **8**. 22-23; on Cherokee survey, **7**. 204, 253-254, 437-438, 460-461; on Indian affairs, **7**. 220-221, 244-5; and boundary, **7**. 196-197.
urges Indians to war, **11**. 372.
Stuart, John, letters from, **7**. 219, 228.
Stuart, John, pensioner, **22**. 85.
Stuart, Kenneth, loyalist, **10**. 600.
Stuart, Patrick, in militia, **22**. 284.
Stuart, Sam'l, a J. P., **23**. 993.
Stuart, Thomas, brings resolutions from Franklin State, **22**. 680.
Stuart, Thos., coms'r from Franklin to N. C., **22**. 714.
Stuart, Thos., in militia, **22**. 395.
Stuart, Wm., a prisoner of war, **11**. 342.
arrested and discharged by Council of Safety, **10**. 874-875.
Stuart, Wm., in militia, **22**. 283.
Stuart, Wm., land grant to, **19**. 572.
Stuart, Wm., petition, **19**. 504.
Stuarts, The, expelled from Engd., **16**. 915.
invade rights, **10**. 60.
set aside, **10**. 224.
Stubblefield, Wyat, juror, **7**. 842.
Stubbs, Everard, in assem., **19**. 489.
Stubbs, Jane, gifts to son, **22**. 299.
Stubbs, John, a J. P., **23**. 994.
Stubbs, John, gifts to, **22**. 299.
Stubbs, Richard, in militia, **17**. 1059.
Stubbs, Thos., juror, **2**. 592, 593.
Stubbs, Thos., quit rents of, **22**. 246.
Stubbs, Wm., juror, **4**. 525.
Stubbs, Wm., sergeant, **4**. 1319.
Stubens, Col., position of regt. in army, **12**. 508.
Stublefield, Wm., petition on separation, **22**. 705-9.
Stublefield, Wyat, receives clothing, **16**. 619.
Stubs, John, juror, **25**. 186.
Stuckey, Samuel, resurvey to, **7**. 119.
Studdant, Joseph, exempted, **7**. 625.
Studivan, John, petitions on need of money, **7**. 866-867.

Studman, Wm., army pay, **17**. 248.
Studthern, John, pensioner, **22**. 85.
Stulker, John, in militia, **17**. 1061.
Stull, Jacob, act for land to, **24**. 629-30.
land grant to, **19**. 572.
Stultz, Casper, Sr., pensioner, **22**. 86.
Stump, Frederick, act for land to, **24**. 629-30.
land grant to, **19**. 572.
Stump, Jacob, act for land to, **24**. 629-30.
land grant to, **19**. 572.
Stump, James, petition on separation, **22**. 705-10.
Stump, Rich., grand juror, **1**. 588.
law suit, **2**. 105.
Stundere, George, on patrol, **10**. 25.
Stunn, Wm., in army, **15**. 725.
Sturdes, David, land lapses, **2**. 540.
Sturdevant. See Sturdivan, Sturtevant.
Sturdevant, Edward, patroler, **10**. 64.
Sturdivant, Charles, in militia, **17**. 1060.
Sturdivant (Sturdevant), Mathias, on S. C. of Pitt, **10**. 38, 62, 243.
Sturdy Beggar, fitted out in Newbern, **11**. xx.
loses lighter and movements discussed, **11**. 624-625.
prepares to sail, **11**. 774.
seamen wanted for, **11**. 747.
Sturgeon, John, petitions against Culpepper Rebellion, **1**. 305.
Sturges, Mr., in C. C., **18**. 709, 726, 754.
Sturges, Jonathan, in militia, **22**. 384.
Sturgion of Tallassee, The, treats with Franklin State, **22**. 649.
Sturgis, Jonathan, **9**. 1231.
Sturt, Henry, army rank, **16**. 1154.
Sturtevant, Jas., army rank, **16**. 1165.
Sturz, Donald, petition on rent, **9**. 46-47.
Stuttgard, Wuertemberg, **8**. 765.
Styerin, Wm., asks protection for pilots, **9**. 803-804.
Styers, Henry, petition on separation, **22**. 705-7.
Styleman, John, against sale of arms to Indians, **2**. 201-202.
Styles, Jno., army rank, **16**. 1163.
Styrewall, Fredk., army rank, **16**. 1162.
Styring, George, land grants to, **4**. 711.
Styring, Jno., Jr., in militia, **22**. 428.
Styring, Wm., in militia, **22**. 428.
Styron, Wallace, in conv. 1789, **22**. 36, 47, 48.
Styron, Willis, in conv. 1788 and 1789, **22**. 1, 4, 25, 29, 32, 36.
Styrring, George, land grants to, **4**. 602.
rights proved, **4**. 598.
Suanner, Wm., in militia, **22**. 270.
Sub-Treasury system of N. C., discussed, **7**. xviii-xix.
Subornation of perjury, Eng. act on in force in N. C., **23**. 323.
punishment, **24**. 13-14.
Substitutes, discussed, **15**. 587-588.
frauds in, **16**. 7.
limitation on, **24**. 336, 362, 386, 414.
Success, The, carries Miller to C., **1**. 296.
Success, brigantine, **10**. 130, 132.
Success, ship, **10**. 50.
Success, ship (?), **2**. 273.
Success, sloop, damaged, **13**. 364.
Succession to the Crown, act on, **25**. 426.
Eng. acts on in force in N. C., **23**. 325.
Such, Joseph, holds land, **6**. 270.
See also Leech, Joseph.
Suck, The, **24**. 830.
Sucky and Peggy, sloop, arrives at Wilmington, from N. Y., **13**. 55-57.
Sudbury, Jas., in militia, **22**. 276.
Sudbury, Woodman, in militia, **22**. 275.
Sudell, ——, law suit, **1**. 452.
Suet, Saml., army rank, **16**. 1162.
Sufferan's Tavern, **12**. 475.
Sufficient proof, to be sent with prisoners to Eng., **3**. 106.
Suffolk, Earl of, at Privy Council, **9**. 632, 666.
Suffolk (countersign), **8**. 587.
Suffolk, Va., **1**. xx; **5**. xxvi, 1, 366, 370, 569; **7**. 265; **9**. 828; **10**. 321, 1027, 1028, 1034; **11**. 578; **13**. 465, 544, 549, 623, 648, 671; **14**. 49; **15**. 21, 130, 301, 379, facing 380, 382, 383, 685; **22**. 145, 941.
aid to from Edenton, **15**. 138.
Americans at, **17**. 985, 987, 988, 992, 993.
British at, **14**. vii, 3, 453, 723; **15**. 112, 137, 138, 143, 483, 537, 560, 561, 570, 574; to take post at, **15**. 246.
captured by British, **14**. 82; and

burned, **14**. 85-86, 94, 95, 99-100, 102, 103, 105, 307, 308.
distance from N. C., **7**. 167.
on line of transportation north, **13**. 46, 51.
post route to established, **5**. 516-517, 555-556, 684, 731-732, 885, 886, 918, 919, 920; **7**. 55, 76, 78-80, 149, 404, 412-413, 440, 454; **8**. 431; **22**. 846; provided, **5**. 1038, 1101; **7**. 100; to be established, **6**. 1242, 1299-1300, 1302-1303.
prisoners sent to, **10**. 545.
section of a converging point for N. C., **3**. xviii.
troops at, **11**. 274.
wagons from, **14**. 499.
Suffolk Co., Va., wagons from, **14**. 499.
Suffolk Resolves, to be disapproved, **10**. 655.
Suffrage, act on, **23**. 12-14, 117, 133-4, 140, 147, 207-10, 337, 981.
bill for qualifications on, **8**. 362, 370, 371, 376, 377, 426, 427, 437, 447, 459, 462, 479, 523; to compel exercise of, **20**. 166.
in S. C., **1**. 639; **2**. 903, 908.
payment of taxes necessary, **20**. 161.
qualifications for, **2**. 854; **23**. 133-4, 140, 147; **24**. 916, 925; **25**. 1, 191, 214, 257, 262, 265, 299, 425; under Fund. Constns., **25**. 131.
to freeholders, **3**. 93.
Suffrien, Jos., signs Indian treaty, **18**. 514.
Sug, Jno., army rank, **16**. 1161.
Sugar, illegally sold in Charleston, **1**. 545.
imported from W. I., **14**. 299-301.
in N. C., **1**. 764-765.
less planted in Barbadoes, **1**. 150.
letter from Mass. on, **6**. 1296.
seized in S. C., **1**. 546.
trade in discussed, **6**. 1034.
trade returns in, **1**. 853.
Sugar Colonies, of most importance, **2**. 156.
Sugar (Shugor, Sugaw) Creek, **5**. 1207, 1222; **6**. 787, 788; **7**. 21, 32, 1004; **14**. 586; **15**. 111.
Craighead locates on, **5**. 1202.
lawlessness on, **6**. 778, 794-796.
school at, **5**. 1219.
settlers on, **5**. xxxiv.
Sugar Creek Church, **5**. 1224, 1225, 1226, 1227.
Sugar Creek Town, **6**. 787.
Sugar House Battery, Charleston, **15**. 42.
Sugar Islands, **6**. 221.
navigation to stopped by foreign occupation of S. C., **3**. 11.
proposition to increase trade with, **4**. 172, 173.
Sugar Town, **7**. 470, 471; **10**. 776.
Sugar Tree Creek, **2**. 786, 798, 812.
Sugarloaf Mountain, ascended, **1**. 959.
Sugaw Town, burned, **10**. 882.
Sugg. See Suggs.
Sugg, Aaron, act to change name to, **24**. 641.
bill to change name to, **19**. 561, 588, 602, 606-607, 618, 661.
Sugg (Suggs), Allen, in militia, **9**. 696.
on com. to collect aid for Boston, **9**. 1081.
on S. C. of Pitt, **10**. 38, 62, 243.
patroler, **10**. 64, 451.
Sugg (Suggs), Aquilla, a J. P., **4**. 813, 966; **23**. 993.
asks increased salary for inspectors, **5**. 961.
coms'r on building, **25**. 483; on town, **25**. 452.
in assem., **6**. 1132, 1152, 1168; **7**. 66; **8**. 106, 108, 146, 303, 325, 335, 422, 444, 455; **9**. 136, 139, 168, 223, 448, 449, 471, 588; on com. of assem., **8**. 90, 110, 111, 118; **9**. 451.
recommends McCartney, **9**. 61-62.
Sugg, George, **10**. 563.
Sugg (Suggs), George, lieut., **10**. 518.
Sugg, George, patroler, **10**. 64, 451.
petitions for Tyson, **16**. 580-581.
signs Pitt Asso., **10**. 222.
Sugg (Suggs), Joel, on S. C. of Pitt, **10**. 38, 62, 243.
patroler, **10**. 64, 451.
Sugg, Joshua, act to change name to, **24**. 641.
bill to change name to, **19**. 561, 588, 602, 606-607, 618, 661.
Sugg, Joshua, exempted, **17**. viii, 973.
Sugg, Joshua, militiaman, **9**. 344, 689.
Sugg, Mark, act to change name to, **24**. 641.
bill to change name to, **19**. 561, 588, 602, 606-607, 618, 661.
Sugg, Moses, act to change name to, **24**. 641.
bill to change name to, **19**. 561, 588, 602, 606-607, 618, 661.
Sugg, Moses, exempted, **6**. 1154*b*.

Sugg, Moses, Sr., act to change name of children, **24**. 641.
Sugg, Noah, a J. P., **23**. 993.
Sugg, Uriah, army pay, **17**. 250.
Sugg, Wm., act to change name to, **24**. 641.
bill to change name to, **19**. 561, 588, 602, 606-607, 618, 661.
Sugg, Wm., petition of executors, **21**. 908.
Suggestion, Eng. act on in force in N. C., **23**. 320.
Suggs. See Sugg.
Suggs, Capt., in militia, **22**. 307.
Suggs, Eligood, army rank, **16**. 1165.
Suggs, Ezl., army rank, **16**. 1165.
Suggs, George, land grant asked for, **4**. 440.
Suggs, John, army pay, **17**. 247.
Suggs, John Thomas, regulator, **8**. 80.
Suggs, Thomas, land grant to, **4**. 894, 952.
Suggs, Thos., vestryman, **23**. 343.
Suggs, Wm., land grant asked for, **4**. 440.
Sugins, Jos., army rank, **16**. 1162.
Suicide, act to release property from forfeiture by, **24**. 927.
Giraud, **20**. 144.
Suirs, James, land patent amended, **5**. 990.
Suit, Wm., takes oath, **22**. 169.
Suit, Wm., takes oath, **22**. 179.
Suits, act for tax on, **25**. 346; on courts to be brought in, **25**. 337-8; to avoid, **23**. 32-34, 333; **25**. 160; to fix scale of depreciation, **24**. 485-8; to prevent, **23**. 26-27; **24**. 488-9, 491, 787-91; **25**. 119.
bill for in behalf of treasury, **20**. 576-577, 583-584, 586; bill on, **20**. 577; to avoid, **21**. 414, 683, 719; to fix scale of depreciation, **19**. 293, 333, 349-351, 354; to indemnify coms'rs of confiscated property against, **19**. 580, 593.
carried into new court, **23**. 883-4, 892, 939.
complaints of before distant courts, **5**. 548.
Eng. acts on in force in N. C., **23**. 318, 320, 321, 323, 324, 325.
in Albemarle Co., prohibiting within five years, **1**. 183-184.
in whose name to run, **24**. 72-3.
limit of value in Superior cts., **25**. 433.
litigations, bill to prevent, **20**. 173, 175, 179, 207-208, 214-15, 217, 232, 349, 356, 362, 393, 421, 432-433, 489.
made void, **25**. 156.
not to be brought against Tories, **24**. 488.
provision for, **25**. 21.
regulations on, **10**. 311.
resolution on depositions, &c., **10**. 990.
rules governing in co. cts., **25**. 410-11; in case of orphans, **25**. 420-1; in prosecution and determination of, **23**. 890-1, 936-7.
to be determined by equity, **24**. 488.
value for consideration in Superior Courts, **23**. 692.
where brought and limits, **23**. 874-5; **25**. 437, 447.
Suits and prosecutions, act to prevent, **24**. 488-9, 491, 787-91.
bill to prevent, **19**. 172, 173, 190, 192, 206, 214, 217, 277, 278, 290, 293, 315, 319, 337, 342, 344, 347, 348, 349, 360.
Sulevant, Jos., suit against, **10**. 618.
Suliahan, Jeremiah, asks pardon for Hamilton, **9**. 39.
Sulivant, Jno., juror, **25**. 190.
Suliven, Jer., in militia, **22**. 387.
Sullanaver, Jno., army rank, **16**. 1196.
Sullavan, Henry, petition on separation, **22**. 705-12.
Sullinavis, John, in army, **15**. 735.
Sullivan, Mr., in assem., **20**. 75.
Sullivan, Lieut., escapes, **16**. 854, 895.
Sullivan, Catherine, executed, **4**. 529, 530.
Sullivan, Daniel, army pay, **17**. 250.
army rank, **16**. 1197.
pensioner, **22**. 85.
Sullivan, Daniel, land grant to, **4**. 799.
Sullivan, Jas., army rank, **16**. 1163.
Sullivan, John, army pay, **17**. 247.
army rank, **16**. 1163.
Sullivan, Jno., army rank, **16**. 1166.
Sullivan, Gen. John, **11**. 707, 782; **12**. 495; **14**. 289.
a prisoner, **10**. 801.
behavior at Germantown commended, **11**. 644.
Burke to his second on his proposed duel with Sullivan, **15**. 83-86.
Burke to on proposed duel, **15**. 86-89.
commands in R. I. and engages British, **13**. 211, 219, 220.

courtmartialed, **13**. 264.
credits of, **16**. 355.
defends Gates, **14**. 632.
exchanged, **15**. 764.
extracts from letters of, **14**. 289, 295.
Howe to on accepting commission, **11**. 287-288.
in battle of Brandywine, **11**. 621, 622; of Germantown, **11**. 643.
in R. I., **13**. 496.
invades R. I., **13**. 470.
on right wing at Germantown, **11**. 784.
orders to, **11**. 757.
reports on Br., **13**. 237.
return expected, **15**. 34.
soldiers condemned, **12**. 477.
success against Indians, **14**. 348; in R. I., **22**. 977, 981, 982.
Sullivan, John, to Caswell on Fed. Conv., **20**. 632-633.
Sullivan, Mrs. L. H., assists on census index, **26**. 239c.
Sullivan, Owen, army rank, **16**. 1165.
Sullivan, Tenig, army rank, **16**. 1166.
Sullivan, W., reports on Martin's letter to McGillivray, **22**. 1006.
Sullivan, Wm., recommended to Caswell, **11**. 492.
Sullivan, Fort, 11. 834.
captured, **15**. 45.
Sullivan Co., Tenn., 16. 109, 512, 697, 698, 960; **17**. 11, 15, 16, 428, 660, 697, 787; **18**. 497, 606; **19**. 73, 178, 289, 943; **20**. 130, 138, 165, 401, 646, 689, 691, 692; **21**. 144, 183, 429, 430; **22**. 671, 680, 682, 684, 685, 692, 693, 716, 718, 719, 725; **24**. 387, 422, 427, 451, 539, 566.
act for new station, **24**. 974-5; **25**. 63; for tax for pub. buildings, **24**. 810-11; on elections to assembly, **24**. 765-6; on jurors, **24**. 273-5, 302, 452, 689-90; to add part of Washington Co. to, **24**. 974; to alter place of co. ct., **24**. 968-9; to create, **24**. 300-2; to divide, **24**. 830-2; to fix place for co. ct., **24**. 857; to fix time of co. ct., **24**. 331, 688-9; to go into Morgan Dist., **24**. 451; to go into Wash. Dist., **24**. 689-90; to pardon Franklinites, **24**. 820, 915, 955; **25**. 10; to quiet titles in, **24**. 353-4, 383.
aids in King's Mtn. battle, **15**. xi, 100, 101, 104, 116, 163.
allowance for salt in, **17**. 767, 769.
bill for county seat for, **21**. 58, 77, 80, 114, 122; for public buildings, **19**. 155, 161, 272, 274; on election of members of assem., **20**. 96, 101, 112; on suits in, **20**. 577; to add part of Washington to, **20**. 530, 557, 576; to join part of Washington Co. to, **21**. 60, 76, 85, 114, 122, 239, 601, 603; to alter place of holding courts, **18**. 117, 133, 183, 343, 358, 360, 378, 417; **20**. 558, 577; to change form of election in, **17**. 402, 404, 407, 419; to divide, **18**. 92, 133, 157-158, 326, 358, 360, 378, 379, 392; **19**. 526, 536, 538, 541, 549, 683; to pardon Franklinites, **18**. 89, 112, 130, 200, 322, 354, 355, 416, 440; **20**. 169, 171, 223, 235, 273, 277, 284, 346, 409, 444-445, 459-460, 465, 503, 512, 553-554; **21**. 42, 43, 56, 64, 73, 77, 110, 114-115, 218, 221, 222, 230, 231-232, 239, 256, 285-286, 586, 588, 594, 598-599; **22**. 728-9; for place for courts, **20**. 532.
Caswell to officers of on Franklin State, **20**. 707-709, 712; **22**. 685-7, 688.
certificates of Indian service good for taxes, **21**. 722.
complaint of people, **17**. 270, 274.
court held in, **22**. 671.
declares independence, **19**. 940.
disputes over lands, **17**. 666-667.
drafts from, **14**. 874.
field officers for, **17**. 739-740.
forms Franklin State, **17**. 435-436, 439-445, 464, 472.
in Salisbury Dist., **15**. 377.
land entries in, **20**. 97-98, 108.
Martin's proc. to on Franklin State, **22**. 642-7.
members of assembly, **16**. 55; **17**. 265, 795, 878; **18**. 2, 36, 227, 243; **19**. 2, 130, 158, 234, 254, 400, 489, 493, 718; **20**. 2, 120, 302, 311, 313, 476; **21**. 2, 15, 194.
members in conv. 1788 and 89, **22**. 3, 7, 38.
memorial from, **21**. 359, 686, 694.
militia called out in, **17**. 962, 965; fines remitted, **20**. 598, 599; officers elected for, **16**. 148, 175; **22**. 701; owes State, **21**. 1078.
paid for Indian service, **21**. 184-185.
petition from, **18**. 4, 32-33, 51, 85-86, 96, 236, 262, 284, 324.

quarrel over clerkship, **22**. 684-5.
report on petition from, **22**. 653-5.
resolve on land entries in, **17**. 409.
tax in, **19**. 707.
time for sheriffs to settle, **20**. 591, 595.
troops from, **14**. 663.
Sullivan Dist., counties included in, **15**. 377.
Sullivan's (Sullivant) Island, S. C., **11**. 704; **16**. 179, 184, 800; **22**. 144.
Amer. troops on, **11**. 266, 268.
attacked by British and defended, **10**. 618-618*d*.
battle of, **11**. 310, 311, 312, 313.
British attack on, **10**. 653, 654; **11**. 320; defeated at, **10**. 737, 881; leave, **11**. 339, 340, 341; will endeavor to pass, **10**. 906.
Burke confined on, **16**. 13.
defense of celebrated, **11**. 512.
defended against British, **10**. xiv.
garrison on, **15**. 243.
Sullivant, Jeremiah, in militia, **17**. 1061.
Sullivant, John, allowance to, **22**. 843.
Sullivant, Jno., in militia, **22**. 280.
Sullivant, Owen, pensioner, **22**. 84.
Sulluvant, John, land grant to, **4**. 961.
Sully's Memoirs, **22**. 885.
Sulph, Jacob, asks for new county, **9**. 89-90.
Sulphur, com. to consider purification of, **10**. 541, 551, 565-566.
manufacture encouraged, **10**. 219.
Sultan of Turkey, arrests Charles XII., **2**. 53.
Sumerland, Henry, land grant to, **4**. 329, 334, 1249.
Sumerlin, Winburn, pensioner, **22**. 85.
Sumerton (Sumersett), town of, **1**. 385.
Summer, Jno., in militia, **22**. 387.
Summer Hill, island, **19**. 917.
Summer Island, **1**. 225.
See also Bermudas.
Summeral's Ferry, Ga., **14**. 119.
Summerhall, Mr., whipped, **8**. 1-2.
Summerhoof, Mr., **11**. 11, 13.
Summerhorn, Capt., **19**. 305.
Summerlin, Jesse, signs Pitt Asso., **10**. 222.
to bring suit, **10**. 499.
Summerow family, pioneers, **9**. 753.
Summers, Mr., witness against Culpepper, **1**. 285.
Summers, Capt., a prisoner, **14**. 817.
rank, **16**. 664.
reënlistments in company of, **15**. 750.
Summers, Anthony de, deserter, **16**. 592.
Summers, Geo., army rank, **16**. 1162.
claim, **9**. 489.
receives clothing, **16**. 619.
Summers, Jas., army rank, **16**. 1152.
Summers, John, and army frauds, **18**. 375.
army rank, **16**. 1152.
army record, **13**. 475.
Cont. capt., **22**. 1049.
officer, **18**. 486.
prisoner, **16**. 671.
rank, **16**. 71, 576, 608.
resigns as J. P., **20**. 521, 536.
Summers, Jno., army rank, **16**. 1152.
Summers, Jno., in militia, **22**. 418.
Summers, John, roll of company, **15**. 728-9.
Summers, Leven, army rank, **16**. 1167.
Summers, Peter, payment to, **17**. 560; **18**. 540.
Summers, Solomon, affidavit on Culpepper Rebellion, **1**. 296-8.
gives information, **1**. 301.
Summers family, **8**. 734.
Summey family, pioneers, **8**. 753.
Summit, Jno., in militia, **22**. 270.
Summons Act, repeal of wanted, **8**. xvii.
Summons and Petition Act, repeal of desired, **8**. 83.
Sumner, Lieut., escorts wagons north, **13**. 69.
Sumner, David, in Prov. Cong., **10**. 165, 168, 172, 500, 501, 523.
field officer, **12**. 513.
major and lieut. col., **10**. 205, 531.
on com. of Prov. Cong., **10**. 504, 519.
on S. C. of Halifax, **9**. 1101; of Halifax Dist., **10**. 215.
to sign bills of credit, **10**. 534, 574.
Sumner, Demsey, a J. P., **4**. 814, 1046.
claim allowed, **5**. 983; **22**. 864.
in assembly, **4**. 737, 740, 744; **5**. 230, 232, 244, 246, 263, 266, 287, 521, 522, 524, 525, 834, 847, 853, 868, 921, 922, 1026, 1046, 1051, 1071, 1073, 1076; **6**. 135, 164.
on com. of assembly, **5**. 284, 500, 523, 527, 1043.
petition on trade, **5**. 321-324.
recommends Earle, **6**. 241.
Sumner, Demsey, a J. P., **23**. 993.
Sumner, Demsey, in militia, **22**. 355.
Sumner, Demsey, in militia, **22**. 355.

Sumner, Francis, army pay, **17.** 246.
army rank, **16.** 1158.
Sumner, Frans., army rank, **16.** 1166.
Sumner, Francis, in army, **13.** 523.
Sumner, Francis, in militia, **22.** 343.
Sumner, Francis, land grant to, **4.** 280, 638, 710.
land patent recorded, **6.** 81.
Sumner, Jackie S., memorial for, **18.** 37, 98, 177-178, 270, 276, 323, 333, 396-397, 411.
Sumner, James, a J. P., **3.** 234; **4.** 47, 346.
in assembly, **4.** 493, 501, 557, 715, 718, 719, 730, 731.
juror, **4.** 518.
land grant to, **4.** 588, 631.
on com. of assembly, **4.** 491, 526, 529.
warrant against, **14.** 750.
Sumner, James, a J. P., **23.** 993.
lieut., **10.** 519.
on Chowan S. C., **10.** 847.
petitions on county bounds, **9.** 633-634.
Sumner, Jas., quit rents of, **22.** 257.
Sumner, James Baker, in assembly, **21.** 871, 873, 927, 930, 931, 937, 941, 946, 965, 967, 999, 1003, 1012, 1013, 1015, 1021, 1030, 1032.
Sumner, Jethro, 11. 340, 344, 372, 477; **12.** 459, 464, 487; **13.** 168, 180, 188, 191, 294; **14.** xi, 400, 402, 403, 404, 406, 407, 414, 417, 427, 609, 699; **15.** xii, 75, 83, 97, 361, 521, 528, 532, 571; **16.** 118, 258, 299, 349, 450, 499, 575, 607, 654, 659, 715, 721, 1200; **17.** vii; **18.** 728, 734; **19.** 198, 206, 957, 968, 990; **22.** 95, 104, 111, 116, 122, 535, 536, 570, 759; **23.** 625; **24.** 396.
account of rations for troops of, **11.** 400.
advice on instruction of asked, **13.** 10.
aids Caswell, **16.** vi.
allows Burke to use Continental officers, **16.** 43.
Andrews to resigning commission, **16.** 641.
appointment as general asked, **11.** xv.
Armstrong to on a. and a., **14.** 774; on Br. in S. C., &c., **15.** 467-468; **16.** 631; on clothing, **15.** 656-657; on condition of troops, prisoners, &c., **15.** 504-505; on deserters, Indians and duel, **16.** 626-627; on Lamb courtmartial, **14.** 351-2; **19.** 908-909; on lands for soldiers, **16.** 524-526; on military affairs, **15.** 665; on movements of officers, **16.** 636-637; on movement of troops, **15.** 463-464, 467-468, 484, 780; **16.** 645-646, 668; on N. C. line, **16.** 667; on public affairs, **16.** 473-474, 480; **19.** 884-885; on recruiting, **14.** 827; **15.** 403; on S. C. affairs, **16.** 498; on successes in S. C., &c., **15.** 481; on tories, **15.** 467; on tories in Surry, **14.** 675-676.
army pay, **18.** 734.
army rank, **16.** 1154.
Ashe to on movement of troops, **15.** 538-539, 546; on officers, &c., **15.** 443; on provisions and troops, **15.** 469-470.
asked to allow Cont. officers to join militia, **17.** 680; to detail officers, **13.** 899.
asks leave to join N. C. troops, **11.** 745.
assigned to Caswell's command and action of, **15.** vi-vii.
assists Nash, **14.** 769.
Bacot to on his movements and accounts, **16.** 621.
Bignall to on filling of N. C. battalions, **14.** 5; on provisions and reported battle, **15.** 486-487; on salt, **15.** 472.
bill against U. S., **15.** 655; for provisions, **15.** 743.
bill in favor of executors, **18.** 37, 98, 177-178, 270, 276, 323, 333, 396-397, 411.
Birdsong to on ammunition, **15.** 471, 474.
Blount to on letter, **16.** 1201-2; on movements of Br., **15.** 585; and clothing, **15.** 590; on support of troops, **16.** 625.
Board of War to on proposed resignation, **14.** 425-426; on militia, **14.** 403-404, 411-412; on movements of troops, &c., **14.** 771; on possible battles, **14.** 386, 389.
Bouquet to with orders, **6.** 317-318.
Brevard to on movement of troops, **16.** 638-639.
Brickel to on Everitt, **16.** 519.
brigade to be ordered to Port Royal, **14.** 324.
brig. gen., **13.** ix. 485; **14.** 10; **15.** 746-748; **19.** 906-908; **22.** 519.

Bull to on his rank and pay, and land commission, **16**. 620, 623.
Burke to on Br. in Va. and movement of troops, **15**. 556-557; on Continental officers and line, **16**. 508; on supplies for troops, **15**. 502-503; on tories, **16**. 543-544; on tories enlisting, **16**. 522.
Burnet to on rearrangement of N. C. line, **16**. 655-656.
Burton to on a. and a., **15**. 470-1, 486; on wagons and arms, **16**. 555-556.
Butler to on movements of Greene, **15**. 433-434.
calls court of inquiry on discharges, **11**. 811.
Carleton to on promotion of N. C. line, **17**. 132.
Carrington to on stores, **15**. 568.
Caswell to on character of drafts, &c., **13**. 193-194; on movement of militia to S. C., **14**. 337-338; on movement of troops to S. C., **14**. 4-5; on N. C. tories, **14**. 150, 151; on troops, &c., **14**. 104-105.
Chapman to on Br., condition of troops, &c., **15**. 586; on his health and private affairs, **16**. 477-478; on movement of troops, &c., **15**. 599-600.
Christmas to on provisions, **15**. 674; **19**. 894.
claims allowed, **9**. 953.
colonel, **10**. 516, 520; **11**. x, 831; of 5th and 3d regts., **13**. viii.
commands Cont. troops in N. C., **13**. 297-298; Muhlenburg's brigade, **12**. 478; So. army, **15**. 80-81; third N. C. battalion, **13**. 344; troops in S. C., **14**. 188.
composition of brigade, **12**. 508.
Cont. officer, **22**. 1049.
Crofton to on Gant, **16**. 1201.
Craike to on clothing, **14**. 310-311; **15**. 742-743.
Crutcher to on supplies, &c., **16**. 942.
Davidson to on British movements, **14**. 779; on capture of powder, **14**. 683; on Charlotte affairs, **14**. 785; on defeat of tories, &c., **14**. 772; on evacuation of Charlotte, **14**. 787-788; and movements, **14**. 694-695; on Ferguson and British, **14**. 661, 662; on Gates's retreat, **14**. 773; on King's Mountain, **14**. 685, 782; on prisoners, Br. in Charlotte and captured dispatch, **14**. 784; on return and movements of Br., **14**. 676, 677-678; on skirmishes, **14**. 679, 680, 786.
Davidson and Davie to on prisoners, **14**. 676-677; on provisions for troops, **15**. 659; on retreat of Br. and answer, **14**. 789-790, 791.
Davie to on Br. movements, **14**. 659-660; **15**. 111.
Dawson to on appointment to command of militia, **15**. 642.
de Gloebeck to on need of men and arms, **15**. 461-462.
desired as a brigadier, **11**. 682.
Dickerson to on Manly, **15**. 664; **19**. 884.
Dixon to on arrangement of officers, **16**. 501-502; on militia and deserters, **16**. 476; on movement of troops, **15**. 446, 464; on N. C. brigade, **16**. 517-518.
Doherty to on clothes and provisions for troops, **15**. 520; on drafts in Duplin, **15**. 490-491; on suspension of Caswell, **14**. 772.
Donoho to on drafts, rendezvousing, &c., **16**. 637-638, 643-644.
Drayton to on critical situation of Greene and answer, **15**. 496-497, 499-500.
Dudley to on recovery from his wound, **16**. 927.
Eaton to on movements of Br., **15**. 440-441; on Camden battle, **14**. 769; on movements of militia, **15**. 427-428, 438; on release of prisoners, **15**. 490.
Evans to on deserters, &c., **16**. 640.
extracts from correspondence of, **14**. 769-792.
fails to get command of brigade, **16**. vii.
Fenner to on arms, **16**. 618; on supplies, &c., **16**. 488-489.
Ferebee to on military affairs, **16**. 516-517.
field officer, **12**. 488, 493, 503.
field officers meet at tent of, **12**. 477.
Forbes to on his sickness and resignation, **15**. 658.
Gamble to on Br. in Va., **15**. 553; on letters, Hill, Reen, &c., **15**. 567.
Gates to on defence on the Yadkin, **14**. 778-779; on movement of troops, **14**. 781, 783; on scouts, **14**. 772.

gives leave to Williams, **15**. 738.
goes to Salisbury, **14**. 616.
Greene to on arms and drafts, **16**. 628-629; on arrangement and resignation of officers, **16**. 930-931; on capture of Burke, **15**. 644; on clothing, supplies, &c., **16**. 497-498; on expenditure of supplies, **19**. 885-886; on movements of Br., &c., **15**. 455-456, 566; on movement of troops, **15**. 444, 465; on N. C. line, drafts, &c., **16**. 666-667; on organization of militia, **15**. 434-435; on recruits, &c., **15**. 442; on reorganization of N. C. troops, **14**. 792; on supplies, **15**. 666; and public affairs, **16**. 574-575.
Hadley to on troops, deserters, &c., **16**. 639.
Harnett to on promotion of N. C. officers, **13**. 392.
Harney to on his health, **16**. 669.
Hawkins to on troopers, **19**. 882-883; on case of men court-martialed, **15**. 662-663.
helps organize new lines, **13**. xi.
Hogg to on public affairs, **15**. 628; on suit, **16**. 676.
Hogun to on location of troops, **13**. 495-496.
in battle of Stono, **14**. vi, 313.
in Prov. Cong., **10**. 164, 167, 172, 192.
instructions from on third reg't, **10**. 790.
introduced to Washington, **15**. 702.
invited to command Jones's brigade, **16**. vii.
Johnson to on reasons for not joining army, **16**. 610-611.
joins Davidson, **14**. 615.
lacks provisions, **14**. 405.
LaFayette to on Br. in Va., **15**. 454-455, 522-523; on Br. movements, &c., **15**. 458-459, 508.
Lamb to on arrangement of troops, **15**. 562-563; on death of father and military affairs, **15**. 672-673; on furlough, **15**. 645; on military affairs, &c., **19**. 892-893; on militia troubles, **14**. 770; on movement of troops, **14**. 289-290; **15**. 739; on privateers, &c., **15**. 468-469.
Lawrence to on his exchange, **16**. 939-940; on his imprisonment, &c., **16**. 647-648.
leaves Salisbury, **14**. 390.
leaves service, **14**. 435.
Lee to on movement of troops, **10**. 722.
letter of ment'd, **17**. 822, 823, 851, 852, 853, 857, 884, 908, 909, 948-9, 953-4; to ment'd, **14**. 378.
Lillington to on movement of troops, **15**. 445.
Linton to on affair with Quinn, **17**. 132-133.
location, **14**. xvi.
Locke to on Br., **14**. 774-775.
Loftin to on tories, **15**. 555.
Long to on ammunition, &c., **15**. 472; on arms and am., **16**. 503-504, 638; on clothing, **15**. 482; on employment of soldiers as artificers, **15**. 466; on movements of Br., **15**. 448, 664; on provisions, **16**. 667-668; on supplies, **16**. 633; **19**. 883-4; on troops employed at other things, **15**. 476-478; on twelve months men and stores, **15**. 593-594; on wagons, **16**. 636.
Lytle to on arrangement and promotion of troops, **15**. 643-644; on exchange of prisoners, **16**. 543.
McClure to on his conduct, **16**. 625-626; on private affairs, **16**. 470-471, 474-476.
McCullock to on public affairs, **15**. 418-419.
McRee to on military affairs, **16**. 515-516; on militia, clothing, &c., **16**. 481-482; on public affairs, **16**. 579-580.
major, **10**. 204.
Malmedy to on movement of troops and provisions, **15**. 515-516.
marches to S. C., **22**. 730.
Martin to on arms, &c., **16**. 642-643; on his retirement from service, **14**. 787-788; on horses and money, **15**. 699; on Indian affairs, **17**. 109-110; on militia and continental officers, **16**. 1200-1; on pay for troops, **11**. 720-721; on provisions and money, **15**. 701.
Medearis to on movement of troops, **16**. 961.
Moore to on arms, **16**. 635-636.
Morgan to on retreat of Br., **14**. 791.
Mountflorence to on provisions, **15**. 473, 539-541; on service in his brigade, **15**. 428-429.
movements, **15**. ix; **19**. 968, 972, 973, 974, 980, 985, 986, 987, 988, 989, 990.

Murfree to on Brickell, **16**. 620-621; on Br. in Va. and N. C., **15**. 560-561; on clothing, &c., **16**. 578-579; on drafts, &c., **16**. 641-642; on drafts, clothing, &c., **15**. 591; on Garrard, **16**. 519; on his retirement, **16**. 669-670; on lands, supplies, &c., **16**. 621-622; on movements of militia, **15**. 439; of troops, &c., **15**. 483; on N. C. brigade, **16**. 611-612, 614-616; on provisions, troops, &c., **15**. 475; on public affairs, **16**. 588-589, 592; on rank, **16**. 648, 649; on shipping tobacco to W. I., **15**. 666-667; on tobacco, **19**. 886-887; on tobacco and supplies, **16**. 472; on troops and provisions, **15**. 516-517.
must certify to claims, **24**. 568.
muster rolls of wanted, **21**. 313.
Nash to on case of Jones, **15**. 466.
nom. for C. of S., **19**. 578.
number of troops under, **14**. 404; **19**. 995.
officer, **18**. 485.
on com. Prov. Cong., **10**. 168.
on courtmartial, **12**. 536.
on Davidson, Armstrong, and others, **16**. v.
on guard, **12**. 527.
on Yadkin and support needed, **14**. 423.
ordered home, **14**. x; by Moultrie, **14**. 324-325.
order to from assembly, **16**. 137.
orders arms delivered to Long, **16**. 632; court martial, **15**. 736; meeting of N. C. line, **16**. 61-62; of Bouquet to, **6**. 326; to Emmet summarized, **11**. 673-674.
papers on exchange of prisoners, **15**. 451-452.
Pearl to on militia and deserters, **16**. 477.
Peaseley to on defeat of tories, **14**. 790.
Penn to on danger of second defeat, &c., **14**. 774; on service of militia, **14**. 782.
petition, **19**. 86, 92-93, 97, 126, 127; considered, **16**. 125-126, 132, 141, 142, 177; to on Whitefield, **16**. 660.
Potts to on provisions for troops, **15**. 475-476, 480; and on staff officers, **15**. 450-451; and stores, **15**. 493-494, 648-649; on stores, **16**. 632; on supplies, **16**. 507.
president of court on claims, **11**. 745; N. C. Cincinnati, **17**. 133, 134.
presides at board of officers to recommend promotion, **11**. 799-800.
promotions under, **11**. 788.
proposes to invade Ga., **14**. 293.
protests against Hand, **11**. 563, 750.
quoted on need of brigadier, **11**. 694.
Raiford apologizes to, **15**. 646; on condition of troops, **13**. 472-473; on movement of troops, **16**. 644-645.
rank, **17**. 1047; to be settled, **11**. 337; settled, **11**. 339.
Read to on Md. and Del. troops, **14**. 771; on militia movements, **15**. 427; on movements of Br., **15**. 463.
recommended for brigadier, **11**. 718.
reports on clothing for troops, **15**. 412; on condition of troops, **14**. 62, 64; detachment under, **15**. 703; on third N. C. brigade, **13**. 531; on troops of, **11**. 729.
retreats and to be joined by Smallwood and Morgan, **14**. 398, 405.
return of brigade of, **14**. 364; of troops under, **11**. 824; **15**. 74; submitted to assem., **13**. 745, 799.
roster of regiment, **16**. 1003, 1011, 1027, 1041, 1050, 1054, 1056, 1063, 1073-4, 1089, 1095, 1101, 1110, 1123, 1128, 1133, 1143, 1154, 1169, 1181-2, 1194.
Rowan to on clothing, **15**. 568-569.
Russell to on soldiers' lands, **16**. 587-588.
Sanders to on tories, **15**. 612-613.
Seawell to on Br. movements, &c., **15**. 461; on case of Bowlins, **16**. 502-503; on movements of militia, **15**. 444-445.
shows necessity of a new brigadier, **11**. 677, 678.
sick, **13**. ix.
Smallwood to on protection of Catawba River, **14**. 791.
Steuben to on Br. in Va., **15**. 502.
stores to, **15**. 597.
Sumter to on movements of Br., **14**. 775.
takes Continentals south, **14**. v.
Tatum to on provisions, **15**. 457; on resigning his commission, **14**. 799-800.
Taylor to on his movements, **14**. 777; on retreat of British, **14**. 790.
Temple to on sickness and money, and answer, **15**. 741-742.

Thackston to on discharge of troops, &c., **14**. 338-339; on mustering out of troops, &c., **15**. 745-746; on slave hire, **17**. 141; on taking a new command, **14**. 792.
Tillery to on jail, **15**. 474.
to —— on arrangements of Cont. line, **15**. 501.
to —— on recruits and drafts, **19**. 909-911.
to Armstrong on movement of troops, **15**. 447(?), 649.
to Ashe (?) on militia, **15**. 425-426; on movement of troops, **15**. 447; on taking command of troops, **15**. 533.
to be left in charge of N. C. troops, **13**. 263.
to be nominated for brigadier gen., **12**. 209, 386, 389.
to Blount on guarding of stores, **15**. 574; on movement of troops, **15**. 453.
to Burke on movement of troops, **15**. 500, 529-530; and Br., **15**. 541.
to Burton on militia drafts, **17**. 1041.
to Butler on movements of troops, &c., **14**. 780.
to Caswell on character of troops and of Medici, **13**. 189-91 on condition of troops, **14**. 48; on deserters, **15**. 320; on rank and condition of troops, **11**. 458; on troops, **14**. 335; on troops in S. C., **14**. 157-158.
to Davidson on Br. retreat, **14**. 790; on his acceptance of brigade command, **14**. 769.
to Davie on Br. evacuation of Charlotte, **14**. 779.
to delegates in C. C. on army affairs, **19**. 948-949; on rearrangement of N. C. line, &c., **16**. 653-654.
to Dixon on movement of militia, **15**. 440.
to Doherty on going to Charleston, **19**. 904.
to Eaton on his appointment to command at Hillsboro, **15**. 422(?)
to Gates on British and tories, **14**. 775-776; on movement of Br., **14**. 651, 658-659, 661-662, 678-679, 692, 693, 779; on Br. occupation of Charlotte and neighborhood, **15**. 89-91; on captured dispatches, **14**. 679-680; on condition of troops, **14**. 590, 661-662, 770; on defeat of tories, **14**. 611-612; on defence of his position, **14**. 667-668; on expiration of enlistments, **14**. 781; on his arrival in Salisbury and answer, **14**. 773; on his movements, **14**. 593, 778, 616; on King's Mtn., **14**. 682, 785; **15**. 114, 117; on movements of troops, **14**. 646-648; on return of troops, **14**. 608; on skirmishes of Davidson, **14**. 784; on smallpox, **14**. 678-679, 686-687; on Smallwood's command of militia, &c., **14**. 785; on tories, **14**. 669-670, 782, 783 (2 letters), 786-787.
to Greene on Br. movements, **15**. 456-457; on drafts, movement of troops, &c., **15**. 494-495; on militia commands, **15**. 426; on movement of troops, arms, &c., **15**. 448-450, 530-531; on recruiting troops, **15**. 421 (?); on rendezvous of troops, **15**. 433.
to Hawkins on impressment, **16**. 490.
to Hogg on half pay for officers, &c., **16**. 471; on Long case, **16**. 489-490; on prisoners, **15**. 573.
to Huger(?) on his relations to Caswell, **15**. 429-430(?).
to Jones on arms, **16**. 624; on recruits, &c., **16**. 490-491.
to LaFayette on movements of Br., **15**. 585.
to Lamb and Armstrong on officers, &c., **15**. 432-433.
to Lamb on rendezvousing of militia, **14**. 573.
to Locke on distribution of prisoners, **15**. 647.
to Long on arms and am., **16**. 491.
to muster regiment, **11**. 318.
to Nash on his movements, **15**. 73, 78-79; on his relations to Caswell, **15**. 429, 430; on provisions and answer, **14**. 770-771; on provisions and movements of troops, **15**. 410-411; on suffering of prisoners in Charleston, **15**. 403-404.
to obey Gates, **14**. 401; Smallwood, **14**. 402.
to Penn on evacuation of Charlotte, **14**. 785-786; on movement of troops, **14**. 777-778; and militia and answer, **14**. 780, 781.
to Potts on provisions and answer, **15**. 441-442.
to raise minute men, **15**. 682; volunteers, **10**. 337.

to receive arms, **10**. 570.
to Seawell on movements of Br. and answer, **14**. 776-777; on express to Steuben, **15**. 447-448.
to Smallwood on end of his service, **14**. 791; on movements of troops, **14**. 789.
to Steuben on movement of troops, **15**. 495-496, 500-501.
to take care of recruits, **15**. 436.
to Wallace on removal of public stores, **15**. 572.
to Washington on affairs of So. Army, **17**. 1048; on movements in N. C., **15**. 655.
tories enlist with, **17**. 866.
troops to be formed into body of horse, **14**. 864.
troops under, **14**. 655.
Vass to on provisions, **15**. 599.
warrants to, **24**. 338.
weak, **10**. iv, 410.
Williams to on his not rejoining army, **15**. 578.
Williamson and Blount to on promotion in N. C. line, **16**. 630-631.
work in S. C., **22**. 730.
Yarborough to on command of troops, &c., **15**. 460.
Sumner, Jethro (Gates), in assembly, **16**. 1; **19**. 382.
Sumner, Mrs. Jethro, **13**. 496; **15**. 427, 470, 471, 563, 667; **19**. 887.
Sumner, John, a J. P., **3**. 244; **4**. 47.
Sumner, John, a J. P., **4**. 814, 1046.
Sumner, John, a volunteer, **14**. 838.
Sumner, John, quit rents of, **22**. 257.
Sumner, John, report on militia co. of, **22**. 355.
Sumner, John, resigns as ensign, **10**. 624.
Sumner, Josiah, a J. P., **23**. 994.
sheriff, **21**. 1074.
to build powder mill, **10**. 537-538.
Sumner, Luke, a J. P., **23**. 993.
building coms'r, **24**. 231.
chairman com. of whole, **12**. 159, 163, 168, 190, 193, 194, 553; **13**. 560; chairman S. C. of Chowan, **9**. 1133, 1141.
in assembly, **12**. 1, 2, 5, 53. 58, 71, 82, 114, 186, 196, 201, 219, 252, 549, 557, 565, 566, 573, 582, 583, 585, 620, 622, 633; **13**. 532, 556.
in Prov. Cong., **10**. 914, 915; on com. of Prov. Cong., **10**. xxiii, 917, 918, 919, 925, 927, 929, 967, 971.
on com. of assembly, **12**. 38, 50, 129, 142, 288, 310, 560, 572, 580, 586, 587, 588, 666, 687, 695; **13**. 384, 540, 590, 596, 638, 698, 705.
on S. C. of Edenton Dist., **10**. 215.
to make arms, **10**. 354, 539.
to procure arms, **10**. 524.
to raise fund for premiums, **9**. 1134, 1141.
Sumner, Luke, deposition on bill to fix capital, &c., **4**. 1172-1173, 1233.
in assembly, **4**. 816, 829; **6**. 138; on com. of assembly, **4**. 816, 817.
recommends Earle, **6**. 241.
tax collector, **23**. 255.
to report on propositions and grievances, **4**. 817.
Sumner, McKinne, memorial for, **18**. 37, 98, 177-178, 270, 276, 323, 333, 396-397, 411.
Sumner, Moses, in militia, **9**. 296.
Sumner, Moses, owes State, **21**. 1074.
Sumner(?), Miss Polly, **16**. 642.
Sumner, Richard, **4**. 69.
Sumner, Richd., army rank, **16**. 1160.
in Davidson's co., **14**. 294.
Sumner, Richard, land grant to, **4**. 643, 712.
Sumner, Robert, a J. P., **6**. 80, 636.
in assem., **6**. 1174, 1210.
Sumner, Robert, in assembly, **12**. 2, 5, 53, 56, 71, 87, 186, 196, 201, 219, 252, 549, 557, 565, 566, 573, 582, 583, 585, 620, 622, 633; **13**. 532, 533, 553, 554; on com. of assembly, **12**. 136, 572; **13**. 540, 562, 590, 596, 638, 698, 705.
in Prov. Cong., **10**. 500, 523, 914, 915, 960; on com. of Prov. Cong., **10**. 504, 918, 925.
Sumner, Robert, in militia, **9**. 296.
Sumner, Sam'l, in militia, **22**. 355.
Sumner, Seth, a J. P., **23**. 995.
in assem., **6**. 1139, 1152, 1210.
town coms'r, **23**. 752, 895.
tobacco inspection at place of, **23**. 641, 792; **25**. 313, 379.
Sumner, Wm., in militia, **22**. 358.
Sumner, Wm., petition on C. H., **9**. 806-808.
Sumner (parole), **12**. 486.
Sumner Co., Tenn., **20**. 396, 463, 692; **21**. 144, 358, 373, 386, 396, 397, 401, 429, 437, 443, 497, 558, 700, 707, 710; **24**. 908, 913, 972; **26**. 1275.
act for co. to treat those wounded

by Indians, **25**. 58-9; for militia to build road and to protect, **24**. 913-14; on salt making, **25**. 31-3; to create, **24**. 826-8; to fix time of so. ct., **25**. 16; to put in Miro Dist., **24**. 975.
bill to erect into district, **20**. 212, 222, 224, 408, 420.
in peace, **20**. 731.
Indian outrages, **20**. 712-713, 759, 760.
members in assem., **20**. 120, 163, 292, 293, 302, 476; **21**. 2, 194.
members in conv. 1788 and 89, **22**. 3, 38.
murders in, **22**. 683.
owes State, **21**. 1077.
Sumner's Landing (Seth), inspection at, **23**. 641, 972; **25**. 313, 379.
Sumpter, Wm., resigns as J. P., **20**. 252, 436.
Sumpter, S. C., **15**. 369; **22**. 777.
Sumpter's House, **15**. 277, 280.
Sumter (Sumpter), Gen. Thos., **14**. 453, 646, 680, 685, 760, 763; **15**. 174; **22**. 153.
after British, **14**. 789, 790.
aid to, **22**. 730.
and battle at Camden, **15**. 54, 268.
and skirmish, **15**. 171.
attacks Hanging Rock, **15**. 267.
Bd. War to on salt, **14**. 452-453.
clothing to, **14**. 715.
collects troops, **14**. 615.
confiscates slaves, **24**. 954.
defeated, **14**. 570; **15**. 275; at Blackstock, **15**. 305-306; by Tarleton, **15**. 55, 272, 296.
defeats Tarleton, **14**. 473-4; **15**. 176, 180, 181.
harasses Br., **14**. 434.
holds fords, **17**. 997.
keeps Br. scared, **15**. 66.
letter ment'd, **14**. 450, 451, 769.
location, **14**. xiii, xiv, 616, 721, 867; **15**. 256.
movements, **17**. 1034.
needs ammunition, **14**. 764.
N. C. troops under, **22**. 731.
number of troops under, **14**. 776.
operations, **15**. iv-v.
partisan leader, **14**. 423.
petition, **20**. 541; to clear river, **21**. 92, 99.
raises recruits, **15**. 276.
reports on movements of Br., **14**. 776.
services, **17**. 1040.
should command S. C. and Ga. troops, **14**. 704-705.
surprised by Wemyss, **15**. 304-305.
takes Br. prisoners, **14**. 467.
Tarleton cuts off, **15**. viii.
threatens Br., **15**. 50.
to DeKalb on Br. and tories in S. C., **14**. 505-507.
to Gates on movements of Br., **14**. 754-755; on operations against Br., **14**. 550; on prisoners, **14**. 765.
to open Catawba, **24**. 961.
to Pinckney on his operations against Br. and tories, **14**. 540-543; on movements of Br., provisions, &c., **14**. 553-554.
to report on troops, **14**. 778.
to Sumner on movements of Br., **14**. 775.
troops dispersed by Tarleton, **14**. xv; join and are defeated, **15**. 258-259, 265, 266, 267; under, **14**. 655.
Sunbury, Fr. and Spanish forces landed at, **14**. 697.
Sunday, act on, **23**. 3-6; 173-5, 336; **25**. 159.
bill for better observation of, **4**. 474, 496, 499, 510; **17**. 319, 356; **19**. 163, 168, 282-286; **20**. 30-31, 71.
object of law for observing, **3**. 180.
Sunderlan, Jos., in militia, **22**. 352.
Sunderland, Earl of, at Board of Trade meeting, **1**. 284, 328-329, 341-342.
letters to ment'd, **7**. 547.
Sunderland, Capt., **14**. 598.
Sunderland, James, rights proved, **4**. 629.
Sunderlin. See Sanderlin, etc.
Sunderlin, Jonah, in militia, **17**. 1057.
Sunions, Dan., land grant asked for, **4**. 441.
Sunions, Jeremiah, land grant asked, **4**. 440.
Sunn, Fred, prisoner, **16**. 674.
Sup, Edward, witness, **1**. 419.
Supel, Anthony, in militia, **22**. 497.
Superior Courts, act for additional judge for Morgan Dist., **24**. 975-6; act for, **23**. 632-3, 765-6; discussed by Board of Trade, **8**. 265, 276; disallowed, **6**. 700-701, 707, 733; to alter time of, **13**. 472; **23**. 545-6; **24**. 161-2, 188, 664-8, 968-9; to establish, **23**. 515, 872-92; **24**. 48-75; **25**. 433-49; in Davidson Co., **24**. 766-7, 907-8,

975; **25**. 60; to establish judicial districts, **23**. 550-63, 688-703; **25**. 523-5; to give equity jurisdiction to, **24**. 439-42; **25**. 65-7; to regulate fees of clerks, **23**. 896-900; **24**. 75-9, 204-9, 314-5, 398-9, 664-5, 668.
and appointment of co. clerks, **7**. 443.
assembly on act for, **6**. 986-987.
Berry's opinion on bill for, **6**. 251-253.
bill for, **4**. 731; in Tenn., **19**. 765; reviewed by Dobbs, **6**. 246-247; on salary, **17**. 664, 670, 683, 711, 748, 750, 765, 780, 788, 789, 792-793; to alter times of, **6**. 642, 644, 646, 660, 667, 671, 676, 679, 749; **7**. 47, 72-73, 74, 76; to ascertain powers of judges in Franklin, **22**. 726; to continue act for, **6**. 811-812, 815, 1223, 1225, 1227, 1238, 1239, 1241, 1252, 1264, 1268, 1269, 1271, 1276, 1291, 1295, 1296, 1299; **7**. 92; to divide into circuits, **17**. 338, 352, 359; to establish, **6**. 122, 125, 126, 131, 140, 146, 147, 154, 155, 351, 353, 355, 356-357, 361, 367, 373, 376, 377, 381, 382, 385, 386, 389, 390, 392, 394-395, 397-398, 400, 401, 402, 403-404, 408-409, 413, 416-418, 419, 420-421, 422, 425, 428, 429, 430, 431, 437, 819-820, 842, 845, 847-848, 849, 850-851, 852-853, 854, 856, 857, 858, 859, 860-861, 862, 890, 901, 903, 905, 906-907, 911, 912-913, 915-916, 918-919, 920, 921, 922, 924, 925, 926, 929-930, 931, 963, 1154*b*, 1169, 1172, 1179, 1188, 1193; **7**. 347, 557, 558, 559, 562, 573, 574, 580, 581, 582, 583, 587, 588-589, 604-605, 607-608, 609, 610, 623, 643-644, 645, 647, 648-649, 650, 668, 693-694; **8**. 102, 135, 295, 326, 328, 339, 341, 345, 400; **9**. 108, 112, 117, 148, 149, 156, 179, 185, 386, 393, 395, 399, 402, 404-406, 407, 410, 412, 413, 416, 418, 420, 423, 424, 427, 428, 435-437, 438, 442, 444, 446, 468, 471, 476, 477, 484, 485, 491, 502, 509, 514, 515-516, 519, 521, 522, 524-525, 526, 529-530, 532, 533, 534, 535, 539, 540, 545, 550-551, 558-560, 579, 583, 598, 600-601, 619-620, 625-632, 655-656, 670, 675-676, 677-678, 680-682, 685-687, 695, 707, 708, 709, 710-711, 713, 715, 721-722, 729-733, 744, 748, 749, 752, 763, 768-770, 778, 782, 786-788, 790-798, 812, 813-814, 816, 817, 819, 820-823, 830-831, 836, 838, 842, 843, 844, 845-846, 849-850, 853-854, 856-857, 860, 862, 863, 870-871, 877, 879-880, 881, 882, 885, 890-893, 894, 896, 901-903, 912-913, 915-916, 919, 921, 926, 927, 928, 929, 939-940, 942, 945, 946-947, 962-967, 969-980, 987-989, 1007, 1008, 1059, 1147-1149; **10**. 377-378; **12**. 53, 57, 58, 70, 82, 88, 94, 113, 114, 115, 119; **17**. 338, 352, 359; **19**. 160, 276, 279; to explain act to erect, **7**. 897, 901, 906, 907, 912, 921, 937, 940, 946, 952, 955, 960, 961, 967, 977; to fix salaries of justices, **12**. 176, 182, 185, 199, 204, 210-211, 256, 346, 349, 355, 374, 385, 404; **13**. 358; to give equity jurisdiction to, **16**. 26-27, 29, 52, 60, 61, 65, 69, 91, 121, 125; **19**. 8, 33, 85; **21**. 63; to increase salaries, **13**. 852, 876, 938, 955; to regulate fees, **13**. 538, 587, 603, 634, 690, 710, 714; to remove from Hillsboro to Campbellton, **9**. 116, 172, 175, 187.
Board of Trade on acts for, **6**. 587-591.
bond of clerk, **7**. 677-678.
Burke to judges on Stringer, **16**. 590.
charges of Iredell and Ashe to grand jury published, **13**. 431-444.
Child's opinion on bills for, **6**. 254-256.
clerks to be appointed by Crown, **9**. 266.
Dobbs on act for and answer, **6**. 804-810.
established, **12**. iv.
extract from records of in New Hanover Co., **15**. 784-789.
interpretation of instructions to gov. on considered, **6**. 334-335, 336, 337-338.
Iredell resigns as judge, **13**. 164, 170; reasons for resigning his judgeship, **13**. 341.
judges elected for, **13**. 584, 585, 688, 689, 691, 754, 755, 756, 807, 808, 811; **17**. 412, 413, 415; refuse to obey Fed. Const., **21**. 865-866, 980, 983, 1054-1055, 1079-1082.
law on should be reënacted, **6**. 1091, 1154*a*.
Martin on laws for and answer, **9**. 378, 382, 454, 455; on trouble from rejection of act for, **9**. 373-374.

memorial of judges, **19**. 422, 751, 755.
proposed action on repeal of act, **6**. 826-827, 828, 829.
powers, **7**. 477-479, 482.
Pownall on act for, **6**. 1049.
records of, **13**. 419-420.
report on, **6**. 623; on complaints against, &c., **18**. 42, 136-143, 146, 147, 167, 181, 194, 195, 213-217, 362, 367-368, 369, 390, 393, 408, 420, 421-425, 428-429, 457, 461, 476, 477-483.
salary to be raised, **13**. 604-605, 618, 649, 684, 688, 690, 723-724, 732, 734-734*a*, 740.
struggle over bill for, **6**. 970.
See also Courts; Supreme Court; County Court.
Superior Courts of Pleas and Grand Sessions, 25. 433-49.
See also Courts.
Superior Lake, and U. S. boundary, **16**. 750; **17**. 6.
See also Lake Superior.
Superior Lights, from N. E., **7**. 102.
Supplies, Burke on, **15**. 580-581; asks reports on, **16**. 195.
bought, **16**. 547.
certificates for receivable for taxes, **19**. 903.
claims for, **20**. 7.
clash over, **16**. 699.
complaints and report on impressment of, **16**. 23, 24, 33, 36.
difficulty of securing, **15**. 771-773; **16**. 632, 633.
discussed, **16**. 281-282.
disposition of, **16**. 263, 299.
estimates for, **16**. 536-537; on transportation of, **16**. 536-537, 539-540, 545.
exchanged, **16**. 486.
Fenner on, **16**. 488.
for So. Army, **16**. 494-495, 507, 687; considered, **16**. 239-240, 339-340; discussed, **16**. 702-705, 707-708, 711-712, 718-719, 725, 742, 788-789, 942, 961; not accepted, **16**. 721-722.
for troops, **14**. 624, 625, 627-629, 642-643, 644-646, 648-649, 650, 654, 660, 662-663, 673, 687, 691, 696, 697, 706, 707, 727, 729-730, 734, 735-736, 756, 806, 811-812, 829, 834, 835, 837, 839-840, 845-846, 850.
furnished, **20**. 31-33, 35, 89, 92.
granted for So. Army, **16**. 695, 700-701.
imported from France, **13**. 367, 378.
impressed, **16**. 241-2, 496-7.
inventory, **16**. 197-198.
invoice of for N. C., **16**. 472-473.
Morris to Martin on, **16**. 427-429.
needed, **16**. 439, 499-500, 502, 510, 517, 677-680, 683; by Crafton, **16**. 210; for So. army, **16**. 448-9, 463.
officers not responsible for, **16**. 397.
orders on, **16**. 691, 692; for officers' supplies, **16**. 602.
pay for those to So. army wanted, **17**. 68.
payment of taxes in, **16**. 403-404.
provided for N. C. troops, **13**. 408.
purchased in W. I., **14**. 204.
report on, **15**. 666; **16**. 475, 513, 523, 529, 622; on amounts furnished by Edenton and Winton, **16**. 484-486, 495-496; on cattle, **16**. 208-209; wanted, **16**. 561.
request for, **16**. 270-271.
Smith, Bell & Co. to Burke on, **16**. 572-574.
threatened by Br., **16**. 574-575.
to be furnished by the States, **14**. 232.
to be removed from Wilmington and Cross Creek, **14**. 388.
transportation of, **16**. 554; difficult, **16**. 493.
Supreme Courts, 23. 252, 253.
act for ment'd, **5**. 567-568; considered and disallowed, **6**. 28-9, 69, 72, 81; for attendance of jurors on, **23**. 400; for justices to take ack. of deeds and for salary, **25**. 352-3; disallowed, **6**. 53-4, 75; on place for, **23**. 490-2; to allow them to take depositions disallowed, **6**. 327, 328; to allow them to take proof of deeds and a salary disallowed, **6**. 53-54; to establish, **5**. 536; **23**. 400; **25**. 274-87.
bill for, **3**. 274, 276, 279, 312, 313, 314, 318, 321; for appointing place for, **4**. 742; **5**. 1020, 1021, 1022, 1023, 1036, 1053, 1056, 1059, 1060, 1061, 1062, 1065, 1097; to appoint associates, **9**. 494, 514, 670, 675-676, 677-678, 680-682, 685-687, 707, 708, 709, 710-711, 778, 782, 786-787, 790-791, 798, 812, 816, 817, 819, 820-823, 830-1; to enable them to take evidence, **5**. 1019, 1049, 1050, 1053; to enable justices of to take proof of deeds, **5**. 878, 879, 880, 888, 905,

907, 910, 911, 912, 923; to establish, **5**. 244, 257, 258, 259, 260, 261, 263, 264, 279, 282, 283, 309, 310, 311; **7**. 557; **20**. 66; to fix, **4**. 126.
Board of Trade on, **6**. 25-28; on terms of judges, **6**. 588-590, 591.
germ of in Tenn., **21**. 180-1.
held in New Bern, **23**. 256.
history of quoted, **24**. iii.
insulted by Catawbas, **5**. 7.
justices for, **5**. 569-570.
law on repealed, **6**. 116, 134.
list of justices, **5**. 760.
location of, **5**. 259-260, 1082, 1083, 1084.
reënactment of law on recommended, **6**. 347.
report on suits to recover public dues in, **5**. 1082-1084.
same as general court, **3**. 150.
under F. C., **1**. 192-196.
See also Courts; County Courts; Superior Courts.
Suratt, M., loses coms'n, **22**. 763.
Surcan, Francis, land grant to, **4**. 639.
Sureties, Eng. act on in force in N. C., **23**. 317.
given by governors, **1**. 773, 799-800.
Surgener, John, pensioner, **22**. 85.
Surgener (Surgeoner), Sarah, Bladen Co. recommends, **18**. 242, 264, 268.
pensioned, **18**. 34, 242.
Surgeon, needed by Marion, **14**. 747.
Surinam, **11**. 759; **14**. 299.
exports to, **11**. 360.
Surle, Robert, land grant asked, **4**. 708.
Surles, Rob., army rank, **16**. 1161.
Surlock, Thos., prisoner, **22**. 551.
See Scurlock(?)
Surls, Francis, in militia, **22**. 321.
Surls, Robt., pensioner, **22**. 85.
Surman, Levi, army pay, **17**. 249.
Surprise, brigantine, wrecked, **14**. 116.
Surra Town, salt at, **15**. 628.
See Saura Town.
Surreau, M., **22**. 763, 764.
letter for, **13**. 227, 228, 230.
Surrender of Carolina, **3**. 103; **4**. 180.
date, **4**. 315, 319.
Proprietors to Privy Council on, **2**. 721-723.
terms, &c., **2**. 384-386.
Surrey, Evan, juror, **4**. 518.
Surrey, Wm., juror, **4**. 521.
Surrey (Surry) Co., England, **4**. 655, 656; **9**. 1092; **11**. 89.
Surrivan, James, army pay, **17**. 247.
Surrott, Joseph, asks for new county, **9**. 90.
Surry, Andrew, to go north, **11**. 431.
Surry, John, becomes disqualified for assembly, **5**. 1006, 1007.
in assembly, **5**. 232, 672, 678, 689, 710, 712, 726, 843, 867, 921, 922, 1058; on com. of assem., **5**. 284, 690.
petition on trade, **5**. 321-324.
reports on grievances, **4**. 744-746.
Surry, Thomas, juror, **4**. 519.
Surry, Thos., maj., **20**. 272, 460.
Surry, Wm., warrant against, **4**. 750.
Surry, schooner, **8**. 545.
Surry County, **5**. 1155; **9**. 145, 298, 451, 593; **10**. 1, 357, 525, 579, 593, 713, 726, 727, 882, 951, 999, 1002; **11**. xvi, xvii, 740; **12**. 641, 750, 857; **13**. 734*g*, 841, 931, 932; **14**. 109, 264, 318, 391, 439, 593, 594, 627, 646, 669, 675, 727, 744; **15**. 125; **16**. 26, 27, 33, 37, 41, 47, 52, 57, 82, 97, 115, 116, 133, 294, 509, 626, 627; **17**. 349, 668, 677, 685, 697, 748, 757, 852, 903, 949; **18**. 188, 205, 401, 497, 523; **19**. 7, 13, 19, 32, 78, 79, 313, 427, 655, 672, 708, 758, 982; **20**. 63, 65, 67, 204, 206, 236, 416, 435, 471, 525, 540; **21**. 102, 136, 384, 606, 624, 674, 819, 854, 1017, 1070; **22**. 97, 100, 135, 136, 137, 141, 149, 150, 151, 441, 508, 693; **23**. 857, 874, 904, 906, 907, 912, 946, 991; **24**. 263, 424, 466, 980; **25**. 3, 38, 101; **26**. 1267.
act for court, **24**. 36-9, 50, 64, 161; for poor house in, **25**. 60-2; for road from, **23**. 918-9; for tax for pub. building, **24**. 149, 523, 692-4, 810-11, 844; **25**. 12; repealed, **24**. 950; for town in, **24**. 305-6; **25**. 112-13; on jurors, **24**. 82-4, 273-5, 452; **25**. 15; on strays in, **23**. 856; to destroy vermin, **23**. 914; wild animals, **24**. 749-50, 826; to divide, **24**. 142-4, 178; **25**. 13-15, 16; to establish, **23**. 844-6, 973; to fix time of co. cts., **24**. 717-18; **25**. 15-16; to join part of Rowan to, **23**. 906-7; to sell pub. buildings in, **25**. 15-16.
allowance for salt, **17**. 767, 769.
and King's Mountain, **15**. 135, 163.
Baptists in, **5**. 1188, 1189.
bill for poor house, &c., **21**. 281, 307,

326, 350, 384; for road through, **9**. 404, 406, 415, 444, 513, 516, 529, 532, 584, 659; for tobacco inspection, **17**. 315, 319, 328, 352, 362; for town in, **13**. 863-864, 880, 884, 895, 974, 985; **21**. 790, 813, 820, 823, 955, 967, 981, 987, 992, 993; to add part of Rowan to, **9**. 110, 113, 153, 155, 162, 167, 190, 383, 389, 392, 397, 400, 443, 458, 460, 474, 482, 495, 504, 583, 657; part of Wilkes to, **21**. 796, 853, 956, 957, 960, 1025, 1026; to change C. H., **19**. 561, 676, 683; to divide, **12**. 148, 150, 152, 170, 172, 186, 220, 255, 283, 308, 310, 311, 315, 334, 579, 582, 590, 591, 603, 625, 654, 682, 693, 694, 701, 715; **13**. 357; **20**. 153, 156, 167, 337; **21**. 205, 206, 216, 239, 254, 281, 283, 287, 296, 317, 577, 586, 588, 601, 603, 606, 607, 623-624, 629, 640; to erect, **8**. 353, 360, 379, 380, 384, 402, 463, 464, 466, 467, 479; **9**. 847, 850, 853, 861, 905, 908, 909, 911, 916, 917, 928, 1013; to establish C. H. in, **12**. 594, 703, 715; to inspect tobacco, **20**. 30, 48, 77; to sell county building, **21**. 340, 364, 376, 396, 400, 629, 677, 710; Burke County cut out of, **11**. 453, 720.
census of 1790, **26**. 1024-1145.
charter to elect members of assembly, **8**. 543.
clothing for troops due from, **12**. 639, 747.
court days, **23**. 874, 885, 932, 946, 990; should be held, **14**. 865.
delegate in Prov. Cong., **5**. 1214.
drafts from, **14**. 874.
dues from sheriffs, **9**. 575.
erected, **5**. 1213.
form of enlistment in, **15**. 125-126.
fort needed in, **11**. 350.
franchise in, **10**. 211, 584.
in Salisbury dist., **15**. 377.
includes Wachovia, **5**. 1152.
J. P.'s in, **8**. 543; **16**. 159; **19**. 113; **23**. 994.
jurors for, **22**. 502; from, **10**. 2; **12**. 875.
landholders to vote, **23**. 987.
loyal address to Martin from, **9**. 1160.
loyalty in, **9**. 1241; **10**. 146, 441.
Martin to justices on tory property, **16**. 798.
members in assembly, **9**. 140, 448, 734, 736, 878, 1189; **12**. 2, 4, 265, 328, 549, 656, 817; **13**. 549, 736, 785, 799, 825; **16**. 2, 264; **17**. 265, 281, 795, 878; **18**. 2, 227; **19**. 2, 130, 234, 400, 489, 500, 718, 728; **20**. 2, 120, 142, 302, 476; **21**. 2, 194, 730, 732, 872, 885.
members in conv. 1788 and 89; **22**. 3, 10, 38.
members in Prov. Cong., **9**. 1042, 1179; **10**. 166, 180, 501, 513, 915, 931, 967.
militia from sent on Va. boundary survey, **14**. 145, 146; in regulator campaign, **8**. 580.
officers, **9**. 298.
organization of troops, **10**. 206, 207, 532.
owes State, **21**. 1077.
pardon offered to tories, **15**. 124.
petition from, **19**. 63; on Fed. Conv., **21**. 31.
poll tax for, **23**. 866.
population, **18**. 433.
powder to, **11**. 333, 334; and lead, **10**. 688.
prisoners set at liberty in, **14**. 462.
rangers in, **10**. 690.
safety com. proceedings, **10**. 228-30, 251, 254-5, 356.
salt for, **10**. 643.
sends troops against Cherokees, **10**. 892.
tax in, **19**. 707.
threatened Indian hostilities in, **9**. 541, 545-546.
to include all of Moravian settlement in, **9**. 47-48.
tobacco inspection in, **24**. 772-3.
Tories in, **11**. xvii; **14**. 667, 669, 675-676, 692; **22**. 730, 731; active in, **14**. 786; **15**. v; **22**. v; attacked in, **14**. 790; defeated in, **14**. 698-699; embody in, **11**. 372; **14**. 782; **22**. 755; enter into bond to appear at court, **15**. 125; treatment considered, **15**. 123-124.
troops from, **14**. 663; at King's Mtn., **15**. xi; against Indians, **10**. 789; sent to aid of Va., **11**. 343-344; against Cherokees, **11**. 333; to be raised in, **13**. 411; **14**. 28; **24**. 154; against Cherokees, **12**. 103-104; to draw provisions from, **15**. 539.
Surry Co., Va., **9**. 1235; **13**. 51.

action on surveys, **1**. 641.
militia mustered, **1**. 809, 816.
tithables in 1756, **5**. 565.
Surry C. H., **22**. 150; **24**. 143.
British at, **15**. 519.
Surry District, recruiting officer for, **22**. 929.
Surry Parish, Va., Rainsford serves in, **2**. 17.
Surry's (Richd.), inspection at, **25**. 313, 379.
Surtes, Wm., in militia, **22**. 357.
Surveyor and Auditor General, Heron deputy, **6**. 523.
Surveyor General, **4**. 198.
act on fees, **23**. 283; **25**. 227.
bill to ascertain duties of, **12**. 168, 169, 187, 190-191, 194, 217, 320, 338, 353, 390-391, 395, 407-409, 414.
duties, **7**. 485; in Albemarle Co., **1**. 165-166, 173-174, 182.
exempted from jury and militia duty, **5**. 1125-1126.
fees, **3**. 163; **4**. 743, 744, 748, 1128; **5**. 97; **6**. 621.
governor may appoint deputy to, **3**. 109.
instructions to, **5**. 1134.
land patents to be produced for, **4**. 58.
list of, Brooke, **2**. 58; Broughton, **1**. 705; Jenoure, **3**. 204, 209, 422-423; Lovick, **3**. 1, 422-423; Maule, **2**. 239, 457; Moseley, **2**. 503; Palmer, **5**. 36; **6**. 217; **7**. 160; T. Pollock, Jr., **1**. 872; **2**. 217; Rowan, **4**. 222.
list of deputies, Grey, **2**. 428; Lyningtion, **1**. 641; Maule, **1**. 743; Norris, **2**. 353; Wineright, **2**. 379.
method of performing his duties, **4**. 158.
office well regulated, **7**. 511-512.
orders to on land warrants, **5**. 489, 493.
salary, **5**. 20.
special favors to, **3**. 108.
surveys land in disputed territory, **1**. 646-647, 648.
to make surveys, **4**. 71.
to set off land to DeGraffenried, **1**. 718.
to survey counties, **6**. 78, 84.
to survey land for Swiss, **1**. 707.
Surveyor General of Colonies, never in N. C., **5**. 334.
Surveyor General of Customs, **7**. 149.
Cholmondeley, **5**. 764.
Fitzwilliam, **2**. 816.
instructions on choice, **5**. 1126-1127.
member of every colonial council, **3**. 87, 91.
Surveyor General of South Carolina, Culpepper, **1**. 211-12.
Surveyor General of woods of North America, Wentworth proclaimed, **7**. 450-451.
Surveyor of Albemarle, appointed, **1**. 34.
fees, **1**. 52.
list of, Biggs, **1**. 295; Birch, **1**. 291, 309; Swann, **1**. 453; Vassall, **1**. xiv; T. Woodward, **1**. xxxii, 99.
Surveyor of lands for Cont. line, act on duties, **24**. 566-8.
Surveyors, act on fees, **23**. 83; **24**. 316, 400, 445; to appoint to survey western lands, **24**. 565-6, 682-3; to give more time to, **24**. 912, 968; on surveys and returns, **24**. 570-1.
appointed, **1**. 573; for western lands, **17**. 459-460.
bill for indulgence to, **17**. 287, 291, 297, 299; on, **20**. 167, 170, 182, 217, 227, 344, 394-395, 422, 457; on appointment of, **18**. 208; **20**. 558; **21**. 35, 37, 45, 56, 102, 121-122; to ascertain duties of, **13**. 542, 637, 649, 657; to ascertain fees, **16**. 90, 92, 95, 120, 124, 152-153; to grant time to, **20**. 20; to regulate fees, **19**. 58, 81, 113.
deputy carried into N. C., **5**. 491; to attend council, **3**. 254.
fees for McCulloh's grant, **4**. 1107.
for western lands elected, **19**. 690, 691, 692, 697, 698, 702.
importance of in the early period, **8**. xxxiii.
Lepeyrie appointed, **1**. 34.
limits on marking trees, **4**. 354.
Maule a surveyor, **2**. 54.
must be sworn, **4**. 54.
powers, **1**. 79.
shot for surveying, **5**. 148; on Drowning Creek, **5**. 161.
to appoint deputies, **24**. 215.
to make fuller returns, **2**. 323-324.
Surveys, act on returns of, **24**. 328, 481-2, 732; to give more time for, **25**. 62; to make valid, **23**. 35-36; to regulate, **23**. 42-44, 333; discussed and to be repealed, **5**. 106, 115.
bill on, **19**. 640, 644, 676, 702.

fees, **4**. 712, 1115.
history of act, **3**. 177.
irregularities in, **5**. 741.
law against Moseley's, **1**. 792-793.
made by Burrington, **4**. 164.
made void, **1**. 865-866.
methods of, **4**. 4-5; discussed, **5**. 361.
more time granted on, **5**. 811, 812, 814.
new one to be made, **2**. 517.
of counties ment'd, **5**. 481.
of 1728, object of, **1**. xxiv.
should be made of counties, **5**. 145.
to be laid before council, **2**. 309.
to be made of harbors, **5**. 1142; of King's half of N. C., **5**. 993, 997.
Suspects, Eng. act on in force in N. C., **23**. 319.
Suspending clause, left out of representation act, **4**. 1157.
Suspension from office, power vested in gov., **1**. 379.
Suspension of officers, provision for, **3**. 107-108.
Susquehanna (Susquehannah) River, **5**. 472; **7**. 219, 431; **9**. 1006, 1068, 1249; **11**. 836; **17**. 1022.
and Indian boundary, **7**. 537.
British in, **11**. 593.
Tuscaroras desire to settle on, **25**. 507.
Susquehannah, Pa.(?), **18**. 505.
Susquehannah Indians, come to N. C., **2**. 643.
Sussen, Abel, pensioner, **22**. 85.
Sussex Co., Del., **1**. 441; **10**. 113; **11**. 291, 292; **15**. 386.
proposed settlement of Scotch in, **1**. 441.
to be annexed to Md., **1**. 441.
Sussex Co., Va., **9**. 1064.
tithables in 1756, **5**. 565.
Sutch, Jno., in militia, **22**. 284.
Suter, Mr., to preach to troops, **7**. 834.
Suter, John, **2**. 809.
Suther, Rev. Samuel, **8**. 748.
history of, **8**. 739-741.
organizes Mt. Gilead Church, **8**. 747.
pastor of Coldwater Church, **8**. 780; of Grace Church, **8**. 744; of Laws Church, **8**. 735.
preaches to regulation army, **22**. 873.
removes to S. C., **8**. 745, 747.
Suther family, **8**. 747.
Sutherland. See Southerland.
Sutherland, D., property confiscated, **17**. 145.
Sutherland, Dan., **13**. 394.
Sutherland, Dan., on regulation of Cross Creek, **15**. 209-211.
Sutherland, Daniel, in army, **15**. 734.
Sutherland, James, in army, **15**. 725.
Sutherland, Jno., army rank, **16**. 1156.
Sutherland, Ransom. See Southerland.
Sutherland, Robert, land grant to, **4**. 710.
Sutherland, Wm., land grant to, **4**. 710.
Suthfen, Jeremiah, asks pardon for Hunter, **9**. 86.
Sutten, Jr., ——, appraiser, **1**. 652.
Sutten, Deborah, new guardian for, **1**. 626.
Sutten, Elizabeth, new guardian for, **1**. 626.
Sutten (Sutton), George, complaint of orphans, **1**. 626.
Sutten, George, guardian for son, **1**. 613.
road overseer, **1**. 494.
Sutten, George, guardian for, **1**. 564.
Sutten, Joseph, appraiser, **1**. 652.
Sutten, Joseph, exempted, **6**. 1299.
Sutten, Jos., Jr., guardian, **1**. 564.
juror, **1**. 621.
Sutten (Sutton), Joseph, Sen., a justice, **1**. 652-656.
constable, **1**. 533.
guardian, **1**. 564.
juror, **1**. 621.
law suit, **1**. 564.
Sutten, Nathaniel, guardian for, **1**. 564.
Sutten, Samuel, claims allowed, **6**. 743.
Suttle, Joseph, asks for new county, **9**. 89.
Sutton, Ashbury (Asbury), in assembly, **21**. 194, 196, 234, 264, 288, 294, 305, 329, 344, 345, 432, 433, 872, 874, 875, 927, 930, 931, 937, 941, 946, 965, 970, 980, 1003, 1004, 1006, 1012, 1013, 1015, 1021, 1031, 1032, 1050, 1055.
in conv. 1789, **22**. 38, 47, 48.
petition, **21**. 755, 904.
Sutton, Christopher, petition, **1**. 608.
Sutton, Chris., quit rents of, **22**. 254.
Sutton, Deliverance, imported, **1**. 394.
Sutton, Eliz., imported, **1**. 436.
Sutton, Eliz., sells land, **1**. 550.
Sutton, Eliz., quit rents of, **22**. 254.
Sutton, Francis, in militia, **15**. 400.
Sutton, Geo., estate to be settled, **2**. 550.
Sutton, George, imported, **1**. 436.

Sutton, Greenbury, bill to confirm land to, **21**. 208, 213, 216, 217, 232, 236, 280, 300, 307, 578, 579, 580-581, 586, 588, 595, 596, 629, 648, 770-771, 804, 828, 834, 921, 926, 971-972, 978, 997, 999, 1002.
Sutton, James, a J. P., **4**. 346.
Sutton, James, army pay, **17**. 250.
army rank, **16**. 1161.
Sutton, Jas., in militia, **22**. 371.
Sutton, James, owes State, **21**. 1068.
Sutton, Jerh., army rank, **15**. 735; **16**. 1196.
Sutton, John, in militia, **22**. 162.
Sutton, Jno., in militia, **22**. 371.
Sutton, John, juror, **4**. 522.
Sutton, John, lapse patent to, **2**. 574.
Sutton, John, quit rents of, **22**. 243.
Sutton, John, takes oath, **22**. 174.
Sutton, Joseph, a J. P., **4**. 47.
in assembly, **4**. 391, 393, 493, 498, 720, 1182; **5**. 232, 237, 243, 271, 291, 292, 293, 669, 670, 689, 706, 707, 878, 882, 893, 903, 905, 906, 914, 915, 1022, 1027, 1061, 1074; **6**. 95; on com. of assem., **5**. 240, 709, 1017, 1043.
recommended for treasurer, **4**. 403, 404.
report on public claims, **5**. 975-986.
Sutton (Suting, Suton), Joseph, appraiser, **1**. 443.
estate to be settled, **2**. 550.
juror, **1**. 396.
petition, **1**. 305-306.
road overseer, **1**. 524.
witness, **1**. 563.
Sutton, Joseph, army pay, **17**. 247.
Sutton, Joseph, imported, **1**. 436.
Sutton, Jos., in militia, **22**. 308.
Sutton, Jos., quit rents of, **22**. 254.
Sutton, Joseph, regulator, **7**. 734.
Sutton, Jos., to Swann on sickness, **22**. 779.
Sutton, Jos., town coms'r, **25**. 367.
Sutton, Jos., Jr., recommended for capt., **22**. 361.
Sutton, Jos., Sr., juror, **25**. 186.
Sutton, Joshua, on patrol, **10**. 25.
Sutton, Mary, quit rents of, **22**. 254.
Sutton, Nathaniel, imported, **1**. 436.
Sutton, Nathaniel, made a guardian, **1**. 626.
petition, **1**. 613; to have estate divided, **2**. 550.
Sutton, Ralph, army rank, **16**. 1161.
Sutton, Richard, arrest and rascalities of, **16**. 242-243.
to be arrested, **16**. 550-551.
wagons and teams seized, **16**. 550.
Sutton (Sutten), Richard, guardian for, **1**. 613, 626.
Sutton, Rich., juror, **25**. 186.
Sutton, Richd., quit rents of, **22**. 254.
Sutton, Robert, sells land, **1**. 550.
Sutton, Sarah, asks for appraisers, **2**. 550.
Sutton, Thos., in militia, **22**. 320.
Sutton, Thomas, juror, **4**. 522.
land grant to, **4**. 766.
land should be resurveyed, **4**. 332.
Sutton, Thos., petitions, **19**. 934, 935.
Sutton, Thomas, pay to, **22**. 486.
Sutton, Thomas, pay to, **22**. 487.
Sutton, Thos., quit rents of, **22**. 257.
Suttons, Jos., quit rents of, **22**. 254.
Sutton's (Joseph), inspection at, **23**. 461, 792; **25**. 313, 379.
Sutton's (Sutten's) Creek, **1**. 493, 494, 523, 534, 550, 562, 576, 578, 582; **2**. 214; **22**. 361; **23**. 12.
inspection on, **23**. 641, 792; **25**. 313, 379.
Swain. See Swane, Swayne.
Swain, ——, a J. P., **4**. 346.
Swain, ——, commissioner to sell assets of gun factory, **12**. 705-706.
Swain, Capt., **21**. 408.
Swain, Maj., **12**. 460.
Swain, Augustine, resigns as J. P., **18**. 205, 430, 439.
Swain, David L., **17**. 134.
agent to procure colonial records, **1**. v, vi.
defends regulators, **7**. xiv.
estimate of population, **8**. xlv.
influence of, **1**. viii.
McRee to on Fergus commission, **19**. 999.
Swain, Elizabeth, to be taught to read, **2**. 266.
Swain, Francis, brigade major, **12**. 467, 469, 474.
Swain, James, land grant altered, **4**. 897; grant to, **4**. 353, 636.
quit rents of, **22**. 246.
Swain, Jeremiah, land grant to, **4**. 7, 65.
Swain, John, a J. P., **4**. 47.
Swain (Swaine), John, asks for appraisers, **2**. 105.
juror, **2**. 262, 442, 508.
Swain, John, juror, **4**. 525.
Swain, John, juror, **4**. 525.

Swain, John, juror, **25**. 186.
Swain, John, juror, **25**. 186.
Swain, John, land grant altered, **4**. 897.
Swain, John, land lapses, **2**. 356.
petitions that his sister be taught to read, **2**. 266.
Swain, John, quit rents of, **22**. 246.
Swain, John, quit rents of, **22**. 246.
Swain, Jonathan, allowed to move, **10**. 393.
petition on pilotage of Cape Fear, **7**. 69.
Swain, Jonathan, land grant to, **4**. 348.
Swain, Joshua, in assembly, **12**. 710, 717, 718, 724, 736, 818, 872, 879; **13**. 625, 690, 697, 708, 709, 712, 717, 721, 785, 786, 812, 813, 823, 913, 925, 966, 975, 980, 982, 983, 988, 990, 1000; **19**. 376, 379, 381; on com. of assem., **12**. 11.
seated in assembly, **15**. 221.
Swain, Judah, house condemned, **7**. 703.
Swain, Julia, lapse patent to, **2**. 772.
Swain, Levi, land grant to, **4**. 712.
Swain, Richard, juror, **4**. 523.
Swain, Stephen, a J. P., **23**. 994.
declines commission, **11**. 522-523.
resigns, **22**. 923; as J. P., **21**. 750, 898, 899.
Swain (Swaine), Stephen, appraiser, **1**. 576.
Swain, Wm., error for Swan, Wm.
Swain Collection, reprints from, **1**. 155-157.
Swaine, Capt., **18**. 534.
Swaine, James, land grant to, **4**. 629.
rights proved, **4**. 625.
Swaine, John, a J. P., **4**. 346.
Swaine, Jonathan, land grant to, **4**. 602.
Swaine, Stephen, estate appraised, **2**. 105.
will proved, **2**. 97.
Swales, Enoch, army rank, **16**. 1161.
Swallow, packet, **9**. 361.
Swallow, schooner, **10**. 161.
Swamp, account of, **6**. 608.
Swampy Branch on Cape Fear, named, **1**. 68.
Swan. See Swann.
Swan, Col., a precinct judge, **3**. 28.
Swan, Nimrod, army rank, **16**. 1155.
Swan, Wm., speaker of assembly, **25**. 154, 156.
Swanano (Swanino), **11**. 354, 355.
Swanano River, **22**. 722.
Swandall, John, land grant to, **4**. 638.
Swane. See Swain, Swayne.
Swane, James, juror, **4**. 525.
Swane, Jno., in militia, **22**. 349.
Swanees (Sawras?), scalps of taken, **5**. 893.
Swanlin, Thos., surety, **2**. 268.
Swann. See Swan.
Swann, ——, appears as counsel before council, **7**. 274.
Swann, ——, produces will of Halton, **5**. 177.
Swann, Mr., **5**. 788.
Swann, Mr., **5**. 817.
Swann, Mr., **16**. 570, 572.
Swann, Mr., asks for change in survey, **5**. 813.
Swann, Mr., Burrington's treatment cited, **3**. 381.
Swann, Mr., helps to hold court, **11**. 403.
Swann, Mr., petition from admt'r, **22**. 620.
Swann, Bishop, enlists, **22**. 498.
on patrol, **10**. 25.
Swann, Elizabeth, marries Moore, **9**. xxxix.
Swann, Mrs. Eliz., gift for benefit of, **1**. 495.
sells land, **1**. 495, 551.
Swann (Swain), Evan, claims allowed, **9**. 371, 589, 590, 953.
doorkeeper, **9**. 450, 1196; **12**. 657; **13**. 786; **19**. 373, 376, 378, 380, 382, 385, 387; of C. of S., **22**. 954; of Prov. Cong., **10**. 168, 220, 502, 916.
Swann, Henry, imported, **1**. 420.
law suit, **2**. 93.
Swann, James, in assembly, **4**. 115, 125, 126.
Swann (Swan), John, **4**. 1329, 1331.
a J. P., **4**. 4, 46, 447, 683, 1040.
allowance for revisal of laws, **4**. 486, 514.
commission as member of council, **11**. 116, 117.
coms'r on roads, **25**. 264; on school, **24**. 984; **25**. 18; to revise laws, **4**. 379, 407.
complains against J. P.'s, **5**. 990, 993.
deposed as a J. P., **4**. 218, 460.
dead, **6**. 596, 600, 714, 728, 754, 1005; **11**. 146, 147, 155, 156.
forms new junta, **6**. 319, 322, 324.
fort coms'r, **23**. 229.
gives bond as commissioner to emit public bills of credit, **5**. 120.

in assembly, **3**. 542, 562, 567; **4**. 360, 361, 362, 366, 372, 376, 379, 380, 381, 382, 387, 399, 414, 477, 486, 491, 493, 504, 505, 506, 534, 720, 725, 731, 733, 737, 739, 770, 771, 773, 775, 777, 779, 784, 788, 789, 790, 835, 836, 837, 839, 840, 841, 842, 843, 855, 857, 858, 859, 860, 861, 863, 864, 865, 866, 899, 900, 903, 904, 905, 906, 907, 910, 911, 912, 913, 975, 977, 980, 983, 984, 986, 987, 988, 989, 991, 992, 995, 999, 1002, 1003, 1005, 1006, 1012, 1013, 1014, 1015, 1017, 1018, 1065, 1066, 1068, 1070, 1175, 1245-55, 1256-74, 1291, 1315, 1317-19; **5**. iii, 18, 29-30, 33, 34-7, 144*h*, 146, 172-4, 175-7, 177-191, 212-228, 229-231, 262-273, 491-494.
in council, **5**. 653-657, 664-688, 817-828, 869-889, 990-991, 992-998, 1012-1039, 1107; **6**. 75-78, 79-85, 85-95, 115-124, 332-333, 334-345, 345-362, 420-427, 439-469, 512-513, 628-636, 638-661.
land grant to, **4**. 217, 218, 767; **5**. 821.
makes motion in assembly, **4**. 389.
memorial in favor of Smith, **6**. 58-60.
on claims com., **22**. 817, 818, 823, 824, 828, 829.
on com. of assembly, **3**. 565, 590; **4**. 384, 476, 491, 497, 502, 721, 722, 736, 738, 793, 864, 899, 913, 914, 975, 977, 986, 988, 997, 1002, 1012.
on com. of correspondence, **11**. 111; **23**. 304, 541.
on com. of council, **4**. 1257, 1258, 1277, 1318, 1319, 1333; **5**. 181, 191, 197, 216, 219, 220, 241, 679, 683, 685, 728, 873, 875, 900, 1017, 1018, 1044; **6**. 119, 138, 350, 367, 375, 390, 423, 433, 434, 450, 454, 465, 484, 507, 641, 656, 671, 691.
on com. to examine and compare revisal, **4**. 977, 991, 1000, 1011.
opposes Spaniards, **22**. iv.
out of N. C., **6**. 331.
patent to ment'd, **5**. 994.
qualifies members of assembly, **4**. 1256, 1274, 1318.
recommends Macdowell, **6**. 239.
report on public claims, **5**. 975-986; **6**. 209-215.
rights proved, **4**. 596.
road coms'r, **23**. 220.
to Board of Trade on land grants, **4**. 309-315.
to inspect public records, **4**. 527.
to issue bills of credit, **23**. 392, 516-18, 539-41.
to King on salary for council, **5**. 760-761.

Swann, John, 22. 271.
Swann, John, in C. C., **20**. 230, 423; **21**. 465, 470, 476.
in conv. 1789, **22**. 38, 47, 48.
to Johnston on affairs of C. C., **21**. 485-486.
Swann, Jno., in militia, **22**. 307.
Swann, Jonathan, 6. 344.
Swann, Mary, administratrix, **1**. 613.
Swann, Mrs. Mary, executor, **1**. 565.
Swann (Swan), Mildred, administratrix, **24**. 926.
petition, **20**. 148, 153, 166, 176, 185, 329, 352, 386.
Swann, Samson, imported, **1**. 420.
Swann, Samuel, 24. 848, 849.
Swann (Swan, Swanne, Swanns), Sam'l, a deputy, **1**. 405.
a justice, **1**. 410, 413, 415, 418, 420, 423, 424, 427, 428, 434, 435, 438, 442, 444, 448, 451, 454, 456, 472, 583-596.
appointed as atty., **1**. 587.
attorney, **1**. 574, 590, 592.
builds church in Perquimans Co., **1**. 712-713.
buys land, **1**. 562, 563.
gift of, **1**. 495.
imports persons, **1**. 420.
in council, **1**. 575, 629.
inventory of estate ment'd, **1**. 613.
land lapses, **2**. 488.
lapse patent to, **2**. 767.
law suits, **1**. 453, 480, 493, 521, 524, 562.
publishes court commission, **1**. 566.
sells land, **1**. 495, 551.
surety, **1**. 565, 574.
surveys land, **1**. 422.
swears appraisers, **1**. 584.
to Va. council on Indian lands, **1**. 657-660.
Swann, Samuel, 9. xxxix.
a J. P., **3**. 234; **4**. 4.
affidavit by, **4**. 882.
allowance to, **22**. 838; for revisal of laws, **4**. 486, 514.
appears as attorney, **4**. 1037; **6**. 1066; before council for clients, **6**. 1018; for West, **4**. 1247.
arrears of salary due to, **9**. 653.
asks for debts due Ashe, **4**. 395-396,

413; resurvey, **4**. 222.
assists in impeachment of Smith, **4**. 500, 503.
Campbell and Connor and Paine to on their health, **22**. 736-7.
case dismissed, **2**. 602.
church coms'r, **25**. 243.
claims, **4**. 150.
codifies laws, **23**. i.
collector, **23**. 373.
commissioner to inquire into Spanish wreck, **5**. 37-38; to revise laws, **4**. 379, 407; **23**. 268; to issue bills of credit, **6**. 35, 249; **23**. 294, 392, 516-18, 539-41.
crosses Dismal Swamp, **2**. 752, 755.
death and sketch, **9**. xxxviii-xliii.
declines speakership, **6**. 802; to serve for New Hanover, **4**. 839.
defeated for speaker, **5**. 154.
depositions examined, **4**. 1141; in case of Rowan vs. McCulloh, **4**. 1095; on purpose of northern members not to attend assembly, **4**. 1189-1190.
disbarred as att'y, **6**. xxxv.
Dobbs to on Davis, **22**. 735.
enters complaints, **6**. 771.
fined, **9**. 651.
forms new junta, **6**. 319, 322, 324.
friend of Harvey, **9**. xlv.
gains suit for heirs of Ashe, **4**. 343.
gives bond to Rowan to emit public bills of credit, **5**. 118-119.
holds public money, **5**. 1100.
in assem., **2**. 575, 608, 612, 623; **3**. 286, 561, 562, 612, 637; **4**. 87, 106, 107, 115, 116, 118, 125, 126, 129, 387, 399, 414, 493, 505, 534, 733, 815, 817; **5**. 232, 233, 241, 242, 243, 244, 245, 248, 257, 258, 259, 260, 264, 276, 278, 284, 288, 294, 304, 506, 510, 511, 521, 529, 537, 554, 555, 689, 861; **6**. 362, 661, 663, 800, 801, 802, 806, 808, 811, 872, 873, 876, 877, 880, 893, 894, 895, 896, 898, 901, 902, 903, 920, 922, 927, 943, 944, 945, 948, 959, 1152.
joins Child in assembly junta, **6**. 245, 246.
judge, **22**. 907.
judge advocate of admiralty court, **2**. 766.
juror, **4**. 518.
land grant to, **4**. 216, 589, 594, 629, 766, 1043, 1238; **6**. 765, 1011-1012.
makes motions in council, **5**. 824.
memorial in favor of Smith, **6**. 58-60.
on com. of assembly, **4**. 85, 91, 117, 121, 131, 132, 135, 233, 383, 494, 497, 502, 526, 529, 913, 914, 1059, 1060; **5**. 219, 237, 239, 240, 276, 500, 522, 523, 556, 716, 1034, 1043, 1084, 1087; **6**. 76, 165, 436, 896.
on com. of correspondence, **6**. 39; **11**. 111; **23**. 304, 541.
on S. C. of New Hanover, **9**. 1107, 1109, 1110, 1111, 1112, 1113, 1150, 1151, 1153, 1168; **10**. 24, 68, 112, 220.
opinion quoted on fees, **6**. 291.
opposes grant to Rowan, **4**. 280; land grant, **4**. 960, 963, 968, 969, 1036, 1253.
paid for revising laws, **4**. 1023-1024.
payment to, **9**. 609.
pays money to com. of accounts, **7**. 318, 393.
petition on trade, **5**. 321-324.
pleads as attorney without license, **4**. 218.
presents petitions, **4**. 1042; **6**. 333.
produces accounts, **5**. 969-970.
public moneys in hands of, **5**. 1037.
quit rents of, **22**. 254.
reason why not nominated for council, **5**. 440.
receiver of powder money, **2**. 621.
recommended for council, **7**. 248; for deputy adj. general, **10**. 521.
reports as commissioner on public bills, **4**. 1292, 1298; on gunpowder, **9**. 1109; on revisal of laws, **4**. 500, 503.
retires from the bar, **8**. 168.
revises laws, **4**. xiv.
rights proved, **4**. 596, 617.
secures granting of appeal, **6**. 769; resurveys, **6**. 761, 764.
signs acts, **4**. 1155; **25**. 349; act for agent, **11**. 112; address to Dobbs on King's help in defense of province, **5**. 633.
silenced by Johnston, **6**. 290.
speaker of assembly, **4**. 651, 654, 720, 722, 723, 725, 729, 731, 733, 736, 741, 744, 751, 770, 774, 781, 789, 815, 817, 819, 832, 834, 839, 855, 856, 860, 861, 865, 911, 969. 984, 988, 991, 997, 998, 1011, 1013, 1016, 1019, 1021, 1022, 1025, 1058, 1059, 1060, 1198, 1251, 1258, 1269, 1270, 1271, 1273, 1276, 1292, 1295, 1296, 1297, 1298, 1327, 1328, 1331, 1341,

1343, 1345, 1346; **5**. 39, 47, 50, 51, 181, 189, 190, 191, 192, 195, 196, 207, 209, 210, 211, 212, 661, 663, 667, 679, 681, 684, 685, 686, 688, 689, 690, 693, 712, 727, 731, 732, 733, 734, 805, 835, 837, 838, 839, 840, 841, 843, 854, 858, 859, 861, 862, 866, 867, 873, 875, 876, 882, 884, 886, 887, 889, 892, 893, 897, 899, 904, 913, 916, 919, 922, 975, 986, 1012, 1028, 1029, 1030, 1031, 1032, 1034, 1035, 1037, 1038, 1058, 1069, 1075, 1077, 1079, 1085, 1088; **6**. 90, 93, 94, 95, 98, 102, 107, 108, 109, 110, 119, 121, 124, 125, 127, 130, 132, 136, 140, 143, 144, 151, 154, 157, 161, 165, 166, 174, 177, 179, 180, 181, 183, 191, 194, 198, 199, 209, 215, 350, 354, 357, 358, 363, 368, 369, 372, 387, 389, 390, 394, 416, 418, 422, 424, 425, 427, 432, 435, 436, 445, 453, 457, 462, 465, 467, 470, 513, 514, 517, 643, 653, 656, 657, 658, 659, 661, 663, 665, 668, 688, 693; **22**. 735, 736, 818, 823, 829; **23**. 216, 243, 250, 267, 272, 296, 309, 341, 348, 351, 370, 386, 391, 399, 474, 475, 482, 484, 501, 502, 509, 514, 515, 522, 538, 549; **25**. 233, 235, 236.
suffers from free speech, **4**. 19.
surety, **5**. 337.
surveyor and tries to sell Burrington's lands, **3**. 618, 619.
Sutton to on sickness, **22**. 779.
testifies for Philips, **4**. 963.
to Board of Trade on land grants, **4**. 315.
to inspect public records, **4**. 527.
to regulate distribution of parliamentary grant, **6**. 305, 306.
treasurer, **4**. 106, 136; **7**. 107.
witness, **2**. 566; **3**. 400; **4**. 626, 1036.
Swann, Saml., a J. P., **23**. 995.
Swann, Samuel, act to empower administrators to dispose of estates, **24**. 926.
bill for sale of real estate, **21**. 799, 820, 836, 964, 968, 986, 992, 1001.
petition of executors, **20**. 148, 151, 153, 166, 176, 185, 329, 336-337, 352, 386.
Swann, Sam., imported, **1**. 420.
Swann, Samuel, in assem., **6**. 662-663.
Swann, Samuel, in assembly, **12**. 265, 282, 311, 349, 368, 414; on com. of assem., **12**. 143, 267, 302.
Swann, Samuel, in assembly, **19**. 372, 374.
Swann, Sam., juror, **25**. 186.
Swann, Samuel, major, **10**. 205, 784.
Swann, Sam'l, on patrol, **10**. 25.
Swann, Sam., petition on trade, **5**. 321-324.
Swann, Samuel, restored as J. P., **19**. 687-688.
Swann, Samuel (Pasqk.), dead, **7**. 566.
Swann, Samuel (of Perquimans), administers on estate, **4**. 73, 75.
Swann, Samuel, Jr., a justice, **1**. 562, 564, 566.
buys land, **1**. 551.
sells land, **1**. 563.
Swann, Sam'l, Jr., capt in reg. camp., **22**. 871.
Swann, Sam'l, Jr., in assembly, **5**. 229, 230, 232, 244, 246, 257, 260, 282, 304, 507, 529, 537, 538, 542, 545, 550, 834, 840, 843, 848, 852, 862, 863, 867, 1021, 1024, 1046, 1051, 1055, 1056, 1057, 1065, 1070, 1071, 1072, 1073, 1075; **6**. 351, 365, 367, 376, 384, 406, 427, 493, 893; **7**. 342, 565, 566; on com. of assem., **5**. 240, 276, 511, 838, 840, 844, 859, 1042; **6**. 365, 896.
promoted capt., **7**. 833.
Swann, Sarah, imported, **1**. 420.
Swann, Sarah, quarrel over estate of, **4**. 73, 75.
Swann (Swan), Thos., a J. P., **2**. 572.
asks for lapse patent, **2**. 500.
attorney, **2**. 602, 653, 654, 658, 662, 671, 672, 699, 716; **3**. 217.
dead, **3**. 546, 578; **4**. 106, 136.
deposition on death of Reed, **3**. 223.
deputy surveyor, **2**. 71.
dismissed by court, **2**. 713.
heir of Sanderson, **2**. 323.
in assem., **2**. 575, 576, 608, 612, 623; **3**. 275, 277, 278, 285, 286, 290, 292, 299, 301, 311, 312, 316, 317, 561.
indicted, **2**. 401.
juror, **2**. 83, 88, 89, 93, 95, 96, 102, 104.
law suits, **2**. 90-91, 103, 352, 357.
payments from estate of, **5**. 974.
prosecutes for atty. gen., **2**. 828.
reports road overseers, **2**. 400.
scire facias issued for, **2**. 654, 660, 670.
sent with message to gov., **2**. 575-576.
signs acts, **23**. 116.

speaker of assembly, **2**. 529.
surety, **2**. 362, 601, 832.
treasurer of Pasquotank, **3**. 420.
trial put off, **2**. 704, 713.
tried for trespass, **2**. 596, 597-599.
Swann, Thos., witness, **2**. 540.
Swann, Thomas, army pay, **17**. 246.
Swann (Swan), Thos., attorney, **1**. 388.
law suit, **1**. 590.
Swann, Thos., imported, **1**. 420.
Swann, Wm., a J. P., **4**. 965.
Swann, Wm., collector, **23**. 373.
Swann (Swan), Wm., in assembly, **25**. 159.
judgment against, **2**. 98.
juror, **2**. 104.
land lapses, **2**. 461, 500.
on Cary Rebellion, **1**. 784-787.
speaker of assembly, **1**. 787, 790, 794.
to petition proprietors, **2**. 244.
vestryman, **2**. 209; **23**. 7.
Swann, Wm., imported, **1**. 420.
Swann, Wm., in militia, **22**. 275.
Swann, Wm., in militia, **22**. 351.
Swann, Wm., settles Swann's Point, **9**. xxxix.
Swann-Bradley Duel, act to pardon Bradley, **25**. 39.
Swann family, **9**. xlv.
Swannanoa, **10**. 895; **11**. 354, 355; **22**. 146, 722.
Swannanoa Gap, **10**. 713, 882.
Swannanoe, **21**. 523, 640.
Swanner, Mat., juror, **25**. 189.
Swanner, Wm., drafted, **14**. 839.
Swann's Creek, **4**. 59, 60.
Swann's Point, N. C., **9**. xxxix.
Swann's Point, Va., **9**. xxxix; **22**. 586.
Swann's Revisal, **23**. 90, 97.
act for, **23**. 268-72, 332-41.
Swansborough, **18**. 298; **20**. 257, 258; **21**. 1069.
act for naval officer, **24**. 959; to change name from New Town, **24**. 534-5; to erect into port, **24**. 850-1.
admiralty judge for, **20**. 244, 265, 266, 272, 273, 276, 279, 423, 429, 430, 442, 456, 461, 465.
bill to erect into a port, **18**. 62, 131, 153, 261, 295, 340, 358, 366.
collector and naval officer for, **18**. 172, 174, 181, 391, 397, 413.
inspection at, **24**. 581.
Swanson, Edward, act for land to, **24**. 629-30.
land grant to, **19**. 572.
Swanson, James, affidavit on Miller's trial in Va., **1**. 269.
Swanson, John, army pay, **17**. 249.
Swanson, John, army pay, **17**. 250.
Swanson, Jno., army rank, **16**. 1162.
Swanson, John, pensioner, **22**. 84.
Swanwick, John, pays money to U. S., **16**. 928, 929.
treasurer, **22**. 1016.
Swarm, Wm., in militia, **22**. 387.
Swars, Cornelius, account paid, **18**. 668.
Swartzwaelder (Blackwelder) family, patriots in army, **8**. 760-761.
Swash, The, **10**. 549; **18**. 656; **24**. 125, 167, 502.
buoys for, **24**. 127, 504.
Swatch (Swash?), The, **23**. 483, 506, 588, 589, 667, 669, 684; **25**. 252.
improvement of, **23**. 375, 377.
Swatch Road, bill for ballastmaster, **8**. 93, 117, 119, 125.
Swayne. See Swain, Swane.
Swayne (Swanie), John, petition, **19**. 411, 437, 441, 442, 735, 737, 777, 787.
Swayney, John, recommended, **16**. 84; **19**. 50, 56.
Sweany, James, regulator, **7**. 737.
Sweany, Joseph, regulator, **7**. 737.
Swearing, act on, **23**. 3-6.
and Sabbath breaking, bill to prevent in Transylvania, **9**. 1274, 1275, 1276, 1279.
indictments for, **2**. 443.
Swearingen, Richd. C., pensioner, **22**. 85.
Swearingen, Van, regulator, **8**. 79.
Swearinger, Joseph, prisoner, **16**. 672.
Swearinger, S., regulator, **7**. 809.
Swearinger, Samuel, Sr., exempted, **9**. 462.
Swearinger, Thomas, regulator, **7**. 809.
Swearinger, Thomas, regulator, **7**. 813.
Swearinger, Van, regulator, **7**. 809.
Swearingham, Sam., land grant to, **4**. 343.
Swearingham, Thos., leader of regulators in Anson, **15**. 762; **22**. 411.
Swearingham, Van, army rank, **16**. 1155.
Swearingin, John, allowance to, **22**. 849.
Sweat. See Sweet.
Sweat, Abm., army rank, **16**. 1162.
Sweat, Davd., army rank, **16**. 1159.
Sweat, David, in army, **13**. 505.

Sweat, David, in army, **13**. 529.
Sweat, George, army pay, **17**. 250.
Sweat, Wm., army rank, **13**. 521; **16**. 1154.
Sweating, George, exempted, 145.
Sweatman, Wm., in militia, **22**. 356.
Sweden, 9. 13; **16**. 729, 921, 923; **21**. 474, 482.
consuls of, **17**. 600-601.
King of arrested, **2**. 53.
offers to form treaty with U. S., **16**. 440.
pitch and tar rise in price, **1**. 721.
tar imported into England from, **8**. 188.
treaty with, **16**. 836, 837, 905, 910; **17**. 35; **19**. 495.
Swedes, proposal to exclude them from trade in naval stores, **1**. 599.
Swede's (Sweed's) Ford, 11. 762.
Swedish East Indian Co., 16. 923.
Swedish iron, 19. 709.
Sweeny, James, robs and beats Pitts, **10**. 698-699, 700.
Sweeny, Thos., army rank, **16**. 1164.
Sweet. See Sweat.
Sweet, Anth'y, in militia, **17**. 1042.
Sweet, Ebenezer, pay to, **22**. 471.
Sweet, Robert, land grant to, **4**. 1247.
Sweeting, George, land grant to, **4**. 353.
Swenet, Jas., army rank, **16**. 1184.
Swetman, Jeane, imported, **1**. 480.
Swetnam, Stephen, surveys land, **2**. 169-170.
Swicegood, Rev. John, sketch of, **8**. 793.
Swift, Col., 12. 545.
position of regt., in army, **12**. 509.
Swift, Jonas, petition on catching fish, **9**. 87-88.
Swift, Jonathan, 8. 44.
Swift, Jonathan, Works, **22**. 885.
Swift, Samuel, a J. P., **6**. 340.
Swift, Solomon, army pay, **17**. 248.
Swift, Solomon, in Indian war, **10**. 754.
Swift, Thomas, claim, **9**. 487, 489.
Swift, Thomas, regulator, **7**. 735.
Swift, packet, **15**. 290.
Swift Creek, 4. 68, 70, 1249; **22**. 142; **23**. 222; **24**. 602.
bill to repeal act on navigation, **19**. 764.
Swift Creek Bridge, inspection at, **24**. 581.
Swift's Creek Swamp, 24. 826.
Swift's plantation, 2. 214; **23**. 12.
Swillivan, Cornelius, receives wages of servants, **2**. 181-182.
Swills, Daniel, army pay, **17**. 249.
Swinburn of wills, used by J. P., **23**. 346.
Swindall, John, land grant to, **4**. 851.
Swindel, Elizabeth, deposition against Jones, **6**. 1067, 1072, 1073.
Swindel, Parker, juror, **4**. 520.
quit rents of, **22**. 247.
Swindel, Wm., charges against Jones, **6**. 1067, 1072, 1073.
Swindle, Jese, army rank, **16**. 1156.
Swindle, Sol., army rank, **16**. 1164.
Swiney, James, army pay, **17**. 247.
Swing, Barnit, regulator, **7**. 737.
Swing, Lodwick, regulator, **7**. 737.
Swing, Matthias, pensioner, **22**. 86.
Swing (Schwenk) family, 8. 734, 735, 741.
Swink, Henry, memorial, **21**. 812, 848, 977, 980, 1038.
Swink, John, army pay, **17**. 251.
caveat to, **19**. 224, 360-361, 362.
pensioner, **22**. 84.
Swink, John H., helps reorganize Lutheran Church, **8**. 784-785.
Swink, Peter H., helps reorganize Lutheran Church, **8**. 784-785.
Swink, Thomas, recommends Pugh, **9**. 30-31.
Swinkwag, Henry, helps reorganize Lutheran Church, **8**. 784-785.
Swinney, Edmond, in militia, **22**. 163.
Swinney, John, exempted, **6**. 912.
Swinney, Morgan, on patrol, **10**. 25.
Swinney, Moses, land grant to, **4**. 625.
Swinney, Terrence, lapse patent to, **2**. 642.
precinct judge, **3**. 255.
Swinson, Jas., in militia, **22**. 326.
Swinson, Jesse, Sr., pensioner, **22**. 87.
Swinson, Richard, asks for land, **2**. 171.
juror, **2**. 262.
land lapses, **2**. 352.
Swinson, Richard, juror, **4**. 525.
Swinson, Richd., quit rents of, **22**. 246.
Swinson, Richd., quit rents of, **22**. 246.
Swinson, Theophilus, pensioner, **22**. 85.
Swinson, Wm., in army, **13**. 522.
Swinson, Wm., in army, **13**. 528.
Swinson, Wm., juror, **4**. 525.
Swinson, Wm., juror, **24**. 186.
Swinson, Wm., quit rents of, **22**. 246.

Swinston, Wm., juror, **2**. 587, 589.
Swiss (Switzers), **8**. 732, 739; **15**. 395.
attached to Reformed Church, **8**. 731.
Board of Trade to King on favors desired by, **4**. 166-168.
Burrington on proposed migration to N. C., **4**. 157-159.
charges for laying out land for, **4**. 207-208.
colony of Purry arrives, **3**. 393.
description of land desired by, **4**. 157.
favor Hyde, **1**. 775.
found Newbern, **8**. 728.
imported from S. C., **4**. 645, 687.
in Mecklenburg Co., **7**. 821.
land to, **1**. 756.
leave Eng. for N. C., **1**. 911.
memorial concerning their migration to N. C., **4**. 159-162.
number killed by Indians, **1**. 810, 924; of proposed settlers, **4**. 167.
petition to King for transportation to C., **4**. 18.
proposals from to buy land, **1**. 707.
proposed settlement by Crymble and Huey, **4**. 253-254, 255, 256, 257-259, 259-260, 260-262, 262-263, 269, 270; considered, **4**. 209, 210, 211, 212, 215; settlements of Jenner and Ochs ment'd, **4**. 268, 269.
settle in Pa., **8**. 728.
settlement of, **5**. 356.
should be naturalized, **4**. 157.
Swiss cantons, purchase of lands by, **1**. 718.
Swiss colony, **1**. 808.
and established church, **1**. 756.
DeGraffenried's history of, **1**. 905-986.
See also Palatines.
Swithwick, Mr., on com. of assembly, **4**. 233.
See also Smithwick.
Switzerland, **1**. 985; **4**. 159, 160, 161, 162, 166, 211; **8**. 731, 733, 743, 754; **11**. 382; **14**. 71.
defense of Barnwell from, **1**. xxxi.
emigrants from invited, **1**. 835.
manuscript of DeGraffenried copied in, **1**. 905.
militia of considered, **16**. 316.
native of naturalized in N. C., **2**. 462-463.
Swoann, Dr., attached for debt, **1**. 586.
Swoape, Geo., claim paid, **19**. 692, 693.
Swoope, Geo., supplies N. C. line, **16**. 485.
Swoops, Mrs., **11**. 693.
Swope, Mr., pork in possession of, **14**. 493.
Swor, John, Jr., regulator, **7**. 809.
Swor, John, Sr., regulator, **7**. 809.
Swords, Wm., army rank, **16**. 1196.
Swords, worn, **2**. 598.
See also Arms and Ammunition.
Syas, Jese, army rank, **16**. 1162.
Sybels, George, shipmaster, **10**. 511.
Sycamore Creek, **24**. 972.
Sycamore Flats, Tenn., **15**. 372.
Syke, Jas., army rank, **16**. 1165.
Sykes. See Sikes.
Sykes, Adam, army rank, **16**. 1155.
Sykes, Dempsy, army rank, **16**. 1162.
Sykes, Henry, army rank, **16**. 1163.
Sykes, Jas., army rank, **16**. 1164.
Sykes, James, wood worker, **15**. 477.
Sykes, John, voter, **15**. 237.
Sykes (Sikes), Joseph, debts due by, **8**. 280-281; as sheriff, **9**. 572.
in assembly, **6**. 646, 662, 663, 675, 676, 801, 1152, 1224, 1251, 1259, 1270, 1278, 1279, 1280, 1317; on com. of assem., **6**. 805, 817, 1282.
Sykes, Josiah, pensioner, **22**. 85.
Sykes, Samps., army rank, **16**. 1160.
Sykes, Sampn., army rank, **16**. 1162.
Sykes, Wm., in militia, **17**. 1042.
Sykes, Zedekiah, army rank, **15**. 733; **16**. 1157.
Syllivan. See Sullivan.
Syllivan, Lambeth, exempted, **9**. 451.
Syllivan, Obadiah, army pay, **17**. 250.
Sylvester, Luke, army pay, **17**. 248.
in army, **15**. 723.
soldier, **18**. 797.
Sylvester, Richard Wm., a J. P., **3**. 252, **4**. 224.
rights proved, **4**. 637.
Sylvester's Landing, tobacco inspection at, **23**. 641, 792.
Sylvia, Samuel, caveat against, **6**. 761.
Sylvia, William, caveat against, **6**. 761.
Sym, Willm., petitions on roads and ferries, **5**. 164-166.
Symmes. See Simms, Sims.
Symmes, John, clerk in C. C., **17**. 591; **18**. 488, 548, 552, 640, 641, 671, 709, 726, 754.
Symmons. See Simmons.
Symmons, Andrew, land grant to, **4**. 704.
Symmons, Benj., juror, **4**. 519.
Symms. See Simms.
Symms, Jos., quit rents of, **22**. 245.
Symms, Robert, sheriff, **21**. 1078.

Symms, Wm., army pay, **17**. 250.
Symms, Wm., gap coms'r, **25**. 109.
Symonds. See Simonds.
Symonds, Capt., fleet of blockaded, **17**. 993.
Symonds, Commodore, **17**. 985.
Symonds, Sarah, marries, **1**. 813.
Symondson, Wm., to receive contributions for Germans, **8**. 632.
Symons. See Simons.
Symons, Abbey, bill to emancipate, **21**. 749, 764, 897, 900, 910, 911, 912.
Symons, Abraham, a J. P., **23**. 995.
building coms'r, **24**. 630.
in assembly, **17**. 265, 266, 293, 304, 354, 359, 364, 365, 366, 368, 384, 387, 391, 394, 395.
Symons, Abraham, in militia, **22**. 353.
Symons, Abram, sheriff, **21**. 1076.
Symons, Ammaritta, bill to emancipate, **21**. 749, 764, 897, 900, 910, 911, 912.
Symons, Bullock, juror, **4**. 520.
Symons, Davy, bill to emancipate, **21**. 749, 764, 897, 900, 910, 911, 912.
Symons, Elizabeth, married, **1**. 688.
Symons, Jeposaphat, in militia, **22**. 353.
Symons (Symonds), Jeremiah, appraiser, **1**. 435.
delegate of Quakers, **1**. 665.
juror, **1**. 567.
law suit, **2**. 108.
Symons, Jeremiah, bill to free slaves of, **21**. 749, 764, 897, 900, 910, 911, 912.
Symons, Jeremiah, in assembly, **3**. 264, 285, 286, 298, 561, 612, 634, 635; **4**. 115, 118, 127.
Symons, Jer., juror, **4**. 519.
Symons, Jeremiah, Jr., condemns himself, **1**. 719.
Symons, Joan, bill to emancipate, **21**. 749, 764, 897, 900, 910, 911, 912.
Symons, John, acquires land, **1**. 418.
delegate of Quakers, **1**. 665.
Symons, John, land lapses, **2**. 678.
overseer, **1**. 813.
to keep account of tithes, **2**. 37.
Symons, Jno., in militia, **22**. 353.
Symons, Jos., in militia, **22**. 353.
Symons (Symonds, Symmons), Nicholas, juror, **1**. 399, 406, 407, 409, 411, 412, 434.
tax collector, **1**. 560.
witness, **1**. 415, 416, 434.
Symons, Peter, in militia, **22**. 353.
Symons, Robert, juror, **4**. 520.
Symons, Samuel, juror, **4**. 521.
Symons (Simons, Symonds), Thos., a justice, **1**. 583-596.
appraiser, **1**. 435.
executor, **1**. 585.
petition, **1**. 305-306.
Symons, Thos., in militia, **22**. 353.
Symons, Wm., in militia, **22**. 353.
Symons' (Symond) Creek, **22**. 344.
inspection at, **25**. 313, 379.
m. meeting at, **1**. 688, 719, 731-732, 905; **2**. 37.
Symon's Landing (John), inspection at, **25**. 379.
Sympson. See Simpson.
Sympson, John, land grant to, **4**. 767.
Syms. See Sims.
Syms, Capt., **12**. 472.
Syms, Jeremy, quit rents of, **22**. 250.
Syms, John, quit rents of, **22**. 250.
Syms, Thos., quit rents of, **22**. 250.
Syms, Wm., quit rents of, **22**. 250.
Syms' Military Guide, copies of wanted, **11**. 309.
Synnod, Michael, claim allowed, **5**. 980.
Synod of the Potomac, **8**. 757.
Synod of the United States, **8**. 751, 757.
Syntagma (Tyntagma) Theologia Christianæ, **2**. 583.
Sypress, Robt., army rank, **16**. 1154.
Syren, ship, **10**. 364, 406, 489, 697; **11**. 341.
captures the Peggy, **10**. 462, 470.
Syrus, Jas., army rank, **16**. 1155.
Syrus, Jesse, army pay, **17**. 251.
Systima Logica, **2**. 583.

T

T., branded for theft, **22**. 506.
burnt into hand, **1**. 401; **2**. 709, 717.
T., S., **8**. 614.
T., W., to Commissary Johnston on missionaries in N. C., **2**. 200-201.
Taawah Indians, go to war against colonists, **10**. 661.
Tabb, Capt., **16**. 693.
Tabb, James Augs., promoted, **19**. 309.
Tabb, Thomas, receives pay for soldiers, **17**. 255.
Tabb, Wm., acquitted as J. P., **9**. 372.
asks for new county, **9**. 89-90.

complaints against as J. P., **9**. 70, 71, 274.
Tabb's Creek, **23**. 297, 298.
Tabb's Creek Church, **5**. 1184.
Tabb's Creek District, Granville Co., taxpayers in, **26**. 1270.
Table Mountain, **5**. 8.
Tabler, Rev. John T., pastor of Lutheran churches, **8**. 792.
Tables and Lefiplanes, **22**. 885.
Tabor, James, asks for new county, **9**. 89.
Tabor, John, asks for new county, **9**. 89-90; pardon for Fruit, **9**. 93-95.
Tabor, Joshua, in militia, **17**. 1054.
Tabort, Drury, takes oath, **22**. 170.
Taborvin, Burwell, pensioner, **22**. 88.
Tabour, Hezekiah, in militia, **22**. 163.
Tabourne, Burwell, army rank, **16**. 1174.
Tabourne, Joel, army rank, **16**. 1173.
Taburn, Joel, pensioner, **22**. 87.
Taburn, Wm., Sr., pensioner, **22**. 88.
Taccard, Capt., stratagem of, **1**. 955.
Tack, Jacob, pensioner, **22**. 88.
Tadlock, Ed., in militia, **22**. 351.
Tadlock, John, petition on separation, **22**. 705-8.
Tadlock, Joshua, petition on separation, **22**. 705-10.
Tadlock, Joshuaway, petition on separation, **22**. 705-11.
Tadlock, Lewis, petition on separation, **22**. 705-11.
Tadlock, Thos., petition on separation, **22**. 705-7.
Tadlock, Thomas, petition on separation, **22**. 705-11.
Tadousac, **5**. 463.
Tagert (Tagart), John, act to exonerate from collecting taxes in S. C., **23**. 908.
bill to exonerate from collecting taxes in S. C., **9**. 386, 389, 390, 442, 464, 468, 475, 477, 478, 480, 583, 657.
Taggart, Jno., in militia, **22**. 382.
Tague, Wm., regulator, **7**. 735.
Tailer. See Taylor, etc.
Tailer, Jno., in militia, **22**. 382.
Tailer, Thos., bound out, **1**. 522.
Tailler, John, asks for new county, **9**. 92.
Tailor (Tailer), Johnathun, constable, **1**. 486.
Tailor (Tailer), Jonathan, law suit, **1**. 485, 524.
Tailor, Wm., army rank, **16**. 1168.
Tailor, **2**. 106.
Tailors, pay of, **6**. 553.
Tainer, Arthur, army rank, **16**. 1170.
Tait. See Tate.
Tait, Wm., petitions, **19**. 935.
Taitt, ——, should be turned out from Creeks, **10**. 330.
Taitt, Mr., **10**. 765, 775.
Takewell, Wm., in militia, **22**. 378.
Talasis, The, **22**. 999, 1005.
Talbert, Jno., army rank, **16**. 1175.
Talbert, John, exempted, **6**. 1299.
Talbert, Thomas, on State of Franklin, **17**. 601-604.
Talbie, Wm., in Indian war, **10**. 759.
Talbot, ——, **8**. 43.
Talbot, Mr., at Board of Trade meeting, **5**. 649-653.
Talbot, Maj., field officer, **12**. 529.
on guard, **12**. 539.
Talbot, Benj., ex-doorkeeper of assembly, **4**. 720.
Talbot, C., on validity of laws, **3**. 350.
Talbot, J., to Dobbs on Crymble-Huey grant, **5**. 627-628; on French war, **5**. 563-564.
Talbot, Jas., in militia, **22**. 377.
Talbot, John, asks pardon for Hunter, **9**. 86.
Talbot, Thos., clerk Franklin senate, **22**. 640, 670.
Talbot, Thos., petition, **20**. 174, 177, 347, 351.
Talbutt, Capt., wounded, **1**. 159.
Talbutt, Maj., in command, **12**. 518.
Taler. See Tailer, Taylor, etc.
Taler, Joseph, land grant to, **4**. 853.
Taler, Joseph, petitions on need of money, **7**. 866-867.
Taler, Thomas, petitions on need of money, **7**. 866-867.
Taliaferro, Benjamin, prisoner, **16**. 671.
Taliner, Felty, in militia, **22**. 281.
Talkley, John, quit rents of, **22**. 251.
Talkoa, **17**. 586.
Tallage, Eng. act on in force in N. C., **23**. 319.
Tallant, Moses M., regulator, **8**. 79.
Tallant, Thomas, regulator, **8**. 79.
Tallassee, **22**. 649.
Tallent, Lott, petition of discussed, **13**. 150-151, 158-159.
Talley, Nicholas, takes oath, **22**. 170.
Talley, Reuben, takes oath, **22**. 170.
Tallon, ——, **16**. 977.

Tallon, ——, opposes Hooper and bills protested, **16**. 997.
tries to carry off money, **17**. 169.
Tallow, Thos., pensioner, **22**. 88.
Tallow, to be rec'd for taxes, **23**. 782.
Talmadge, Maj., rank settled, **12**. 528.
Talor. See Taylor, etc.
Talor, Jese, army rank, **16**. 1172.
Talton, James, army pay, **17**. 254.
army rank, **16**. 1168.
Talton, Jas., army rank, **16**. 1174.
Talton, Josiah, army rank, **16**. 1174.
Talton, Wm., army rank, **16**. 1170.
Tamar, ship, **11**. 268.
Tan, Drewry, army rank, **16**. 1175.
Tanayhill. See Tanyhill.
Tanayhill, Jno., juror, **25**. 190.
Tandirs, John, prisoner, **17**. 1046.
Tane, Francis, consulted on land grants from Proprietors, **3**. 83.
Taner. See Tanner.
Taner, John, ensign, **10**. 937.
Taners, James, land grant to, **4**. 854.
Taning, Hugh, first major, **13**. 281.
Tankard, John, pensioner, **22**. 87.
Tankerville, ——, letter on customs laws, **1**. 458-459.
Tankesley, Wm., army rank, **16**. 1174.
Tanksly, Wm., receives clothing, **16**. 619.
Tann, Ephm., army rank, **16**. 1173.
Tann, Jas., army rank, **16**. 1173.
Tanner. See Taner.
Tanner, ——, Bass & Co., **13**. 177.
Tanner, Benj., refuses to take oath, **13**. 446.
Tanner (Turner?), David, in conv. 1788, **22**. 25, 30.
Tanner, Jenning, army rank, **16**. 1173.
Tanner, Lodowick, land grant asked, **4**. 615, 764.
surety, **6**. 992-993.
Tanner, Margaret, in militia, **22**. 415.
Tanner, Michael, pensioner, **22**. 88.
Tanner, Walter, juror, **1**. 567, 623.
road overseer, **1**. 625, 656.
Tanners, petition against exports of hides, **6**. 166.
petition to Dobbs on cattle and hides, **5**. 745-746.
report on, **7**. 429.
Tanner's Church, 5. 1181.
Tanner's old mill, 23. 820.
Tanning, act to encourage, **23**. 111, 115; repealed, **3**. 176.
Tannt, Jno., in militia, **22**. 319.
Tanyers Revenge, captured, **13**. 186; **22**. 758.
Tanyhill. See Tanayhill.
Tanyhill, John, arrested for not going to war, **2**. 125.
Tapel, complains of intrusions, **14**. 221.
Taping, Wm., does not take oath, **22**. 169.
Taply, Hosea, petition from, **8**. 309.
Tapp, Geo., army rank, **16**. 1168.
Tappan, N. J., 15. 291.
Tar. See Tarr.
Tar, Melchar, army pay, **17**. 254.
Tar, Melcher, pensioner, **22**. 88.
Tar, act to inspect, **23**. 55-56, 333, 432, 485, 639-49, 790-801; **24**. 580-6, 658-61; **25**. 313-319, 378-87, 499-500; on frauds in, **25**. 160.
and pitch and turpentine, fee for inspection, **24**. 209.
and pitch as medium of exchange, **2**. 81, 83, 84, 85, 99, 102, 105.
as currency, **1**. 715.
bill for inspection, **5**. 266, 267, 269, 272, 274, 275, 287, 288, 289, 295, 296, 300, 505, 508, 510, 512, 513, 519, 535, 537, 541, 544, 546, 549, 550, 551, 558; to continue inspection act, **6**. 844, 847, 863, 866, 879-880, 883-884, 901-902, 905, 906, 911, 934, 936, 950-951, 954; to regulate inspection, **5**. 898, 1020, 1025, 1026, 1027, 1028, 1029, 1030, 1036, 1045, 1050, 1052, 1067, 1068, 1072, 1074, 1075, 1076, 1077, 1078, 1097; to regulate preparation of, **8**. 318-319.
bounty on discussed, **8**. 181.
burned illegally on King's land, **4**. 285.
Cont. Cong. asks that it be removed to place of safety, **11**. 754-755.
illegal making of, **4**. 176.
memorial on furnishing to navy, **1**. 721.
method of making and shipping, **8**. 187-190.
not to be burned on King's lands, **4**. 41-42, 205, 207.
petition on, **8**. 164-165.
regulations on making proposed, **4**. 16.
report on, **4**. 5-6.
treatise on making of distributed, **9**. 13, 20.
trouble over making of, **4**. 241-242.
Tar Division, 8. 711.
Tar Hill, 14. 828.

Tar (Taw) River, **2.** 811; **3.** 417, 425, 442; **4.** 344, 1124; **5.** xlii, 342, 1178, 1199, 1204, 1205, 1211; **6.** 562, 607; **7.** 149; **9.** 1064, 1247; **10.** 1028; **11.** 602; **13.** 139, 149, 166, 253, 489; **14.** 473; **15.** 573; **19.** 302; **22.** 597, 599, 604, 605; **23.** 164, 168, 249, 287, 297, 473, 480, 531, 865, 967, 976; **24.** 139, 176, 250, 758; **26.** 1277.
act for bridge over, **23.** 594-5; for free ferry over, **24.** 940; for town on, **23.** 537; **25.** 451-3; on fish in, **23.** 681; **25.** 504-5; **24.** 295, 460; to clean, **24.** 702-3.
bill for bridge over, **6.** 645, 650, 668, 670, 681, 682, 864, 866, 872, 874, 880, 886, 891, 935, 937, 941, 947, 948, 957, 1277; for town on, **8.** 349, 353, 354, 392, 394, 403, 405, 407; **16.** 38; for mill dams on, **12.** 557, 561, 566, 665, 666; on ferry, **20.** 165, 170, 179, 181, 186, 344, 356-357, 367; on fish in, **19.** 144, 146, 257, 261, 343; **20.** 155, 156, 170, 180, 181, 337, 355; to clear, **19.** 414, 415, 417, 464, 742, 743, 747-748, 791, 799, 816; to erect town on, **6.** 453, 455, 459, 468, 481, 484, 487, 492, 494, 503, 511; to prevent destruction of fish in, **7.** 310, 315, 320, 326, 330, 339, 378, 382, 387, 394, 397, 406, 407, 410, 421; to prevent stopping of fish in, **13.** 853, 875, 887, 935-936, 944, 954, 978.
British on, **15.** 457.
forks of, **24.** 458.
little grain near, **22.** 553.
low, **22.** 589, 596.
McCulloh lands on, **5.** xxxii, 772, 779; **6.** 570.
on post route, **7.** 413, 454.
people of ask for new survey of lands, **4.** 66-67.
petition on fishing in, **6.** 1273.
tobacco inspection on, **23.** 411.
Tar River, quit rents paid at, **25.** 218.
Tar River Baptist Association, history, **5.** 1181.
Tar River District, Granville Co., **22.** 169.
taxpayers in, **26.** 1268-1269.
Tar River Falls, **12.** 166, 337.
Tar River forks, beef warehouse at, **22.** 915.
Tarbarra, Saml., army rank, **16.** 1175.
Tarbet, James, petitions for pardon, **19.** 525, 527.
Tarbola, **11.** 719, 720.
Tarboro (Tarborough, Tarr Burrow), **7.** 168*a*, 1002; **8.** 262; **10.** 94, 931; **11.** xviii, 297, 474, 510, 521, 578, 729, 741; **12.** 415; **13.** 53, 166, 464; **14.** 26, 27, 457, 473; **15.** 15, 360, 379, facing 380, 382, 451, 456, 467, 472, 484, 486, 631, 633, 649; **16.** 193, 546, 606; **17.** 857, 941; **18.** 78, 114, 121, 128, 312, 341, 347, 352, 497, 534, 567, 579, 586, 624, 744; **19.** iv, 100, 103; **20.** 130, 136, 152, 198, 269, 274, 278, 373, 452, 453, 490, 500, 502, 503, 504 508, 521, 543, 559, 560, 584, 626, 650, 775, 789; **21.** 24, 30, 33, 37, 38, 39, 41, 42, 43, 45, 46, 48, 56, 57, 87, 96, 116, 117, 143, 166, 167, 171, 186, 191, 203, 204, 229, 259, 262, 277, 295, 296, 323, 341, 354, 356, 370, 371, 372, 373, 375, 376, 404, 412, 415, 449, 459, 467, 476, 505, 510, 515, 516, 521, 533, 548, 577, 582, 594, 617, 625, 646, 683, 707, 712, 717, 718, 719, 720, 723, 744, 792, 800, 817, 821, 830, 837, 870, 888, 909, 964, 965, 968, 983, 984, 987; **21.** 989, 992, 1000, 1001, 1004, 1062; **22.** 526, 559, 588, 595, 596, 597, 598, 599, 601, 604, 605, 750; **23.** 594; **25.** 64.
act for pub. buildings in, **25.** 483-4; on tobacco inspection, **23.** 548; **25.** 495-6; to incorporate, **23.** 537; **25.** 451-3; to regulate, **24.** 740-2, 853-5; to secure lots in, **24.** 176; to vest lands in Hall, **25.** 105.
ammunition sent to, **10.** 543.
assembly held in, **20.** 119, 301; **24.** 885, 956, 957, 966, 967, 968, 982, 988; **25.** 27, 109; to be held at, **19.** 57, 189, 312.
attacked by conspirators, **11.** 521.
bill for bridge at, **6.** 645, 650, 668, 670, 681, 682, 864, 866, 872, 874, 880, 886, 891, 935, 937, 941, 947, 948, 957, 1277; for C. H., &c., at, **6.** 815, 821, 845, 855, 856, 861, 891, 892, 908, 909, 911, 921-922, 924, 929, 939, 963, 1096, 1098, 1103, 1104, 1119, 1145, 1158, 1161, 1165, 1171-1172, 1175, 1192; for inspection of tobacco at, **6.** 644-645, 646, 647, 648, 660, 673, 675, 676, 677, 678, 679, 750; to charter and amend act

on; **18**. 84, 117, 147, 298, 319, 328, 345, 367; to erect, **6**. 453, 455, 459, 468, 481, 484, 487, 492, 494, 503, 511; to regulate, **17**. 297, 301, 334, 363, 392; **19**. 434, 451, 767, 771, 774, 792; **20**. 62, 90; to save lots in, **7**. 49, 50, 54, 72, 74, 75, 80, 304, 365, 559, 561, 563, 582, 585, 587, 590; to secure lots in, **12**. 562, 571, 572, 582, 583, 653, 670, 671, 680, 693, 694.
British in, **15**. 456.
charter to, **9**. 325, 348.
council of State held in, **22**. 938-9.
inspection in, **24**. 581.
members of assembly, **7**. 284; **9**. 746-747.
merchants ask increased salary for inspectors, **5**. 961.
militia to rendezvous at, **17**. 680.
nom. as capital, **16**. 90; **17**. 139, 140, 143; **22**. 28; as place for gen. assem., **17**. 311, 318; **19**. 422, 578, 584, 587, 623, 752; **20**. 29, 198, 207, 373, 388, 518; **21**. 64, 215, 251, 282, 585, 611, 630, 773, 778, 818, 822, 827, 927, 935, 987, 991, 997.
provisions in, **10**. 697.
public stores in, **10**. 635.
refused representative in assembly, **6**. xxvii; **9**. 823.
report on its right to send representative, **9**. 846-7; discussed, **9**. 989.
stores in, **10**. 879.
tobacco comrs. elected for, **17**. 413, 416; **18**. 189, 420, 449, 451, 459.
tobacco inspection at, **23**. 736, 792; to be delivered at, **24**. 724, 813.
Tryon offers to pay wine license for, **7**. 128.
Targiter, William, buys, **1**. 625.
Tariff, bill to give power to levy to C. C., **17**. 829-830, 831, 836, 841-842, 923, 925, 929, 934, 936, 937, 944; to levy, **16**. 111, 122.
laid by N. C., **1**. 862, 863.
promises to be hard on South, **22**. 799.
reports on collections of, **21**. 165.
See also Customs, Duties, Trade.
Tarkington, John, forfeits land for felony, **1**. 453.
Tarkington's Quarter, escheated, **1**. 453.
Tarleton, Banastre, **15**. 304; **19**. 957, 959, 960, 962; **22**. 610.
advances towards Hillsboro, **15**. 527.
and battle of Camden, **15**. 272, 273.
at Guilford C. H., **17**. 1002, 1003, 1004, 1006, 1012, 1023.
beaten at Cowpens, **17**. 981-982, 986.
comes to relief of King's Mtn. prisoners, **15**. 109, 110.
defeated by Morgan, **16**. iv; **22**. 533; by Sumter, **14**. 473-474; **15**. 176, 180, 181.
defeats Buford, **15**. 263; Sumter, **14**. xv; **15**. viii, 55, 272, 305-306.
goes to aid of Ferguson, **15**. 136.
in Camden, **14**. 742.
in command of Br. troops, **15**. 537, 538.
joined by Cornwallis, **14**. 763; by Hanger, **15**. 261.
joins Cornwallis, **14**. 777.
letter of intercepted, **14**. 760, 763.
misses Parker and skirmishes with Morgan, **15**. 570.
movements, **14**. 789, 790; **15**. 52, 277, 279, 280, 282, 304; **17**. 996, 998, 1000, 1040; **19**. 968, 969, 990, 991; **22**. 109, 116, 122, 123, 124, 125, 131, 141, 142, 156, 157, 158; in Va., **15**. 550, 556, 566.
moves towards Broad River, **14**. 764.
not likely to move, **14**. 754.
pursues Marion, **15**. 303-304.
pushes Rawdon, **15**. 536.
reputation, **15**. 306.
retreats to Camden, S. C., **14**. 746, 748.
routs Gorum, **15**. 456.
skirmish with, **22**. 96.
superiority of troops of, **14**. 750.
thanked for Camden victory, but not promoted, **15**. 296.
tries to destroy Sumter, **14**. 754.
troops given to, **15**. 260-261.
Tarleton's Legion, **14**. 712.
Tarloe, James, vestryman, **2**. 208.
Tarlton, Jno., army rank, **16**. 1174.
Tarlton, Josiah, army rank, **16**. 1174.
Tarlton, Wm., pensioner, **22**. 88.
Tarmer, Thomas, land grant to, **4**. 896.
Tarney, Gilbert, pensioner, **22**. 87.
Tarobridge, Mr., toast to, **9**. 1067.
Tarper, Jonathan, signs Quaker petition, **1**. 252.
Tarquin race, The, **10**. 60.
Tarr. See Tar.
Tarr, Melchior, takes oath, **22**. 503.
Tarrance. See Torrance, etc.
Tarrance, John, regulator, **7**. 734.
Tarrant, Capt., **13**. 302.

escorts wagons north, **13**. 69.
to report on recruits, **11**. 664.
Tarrant, Manlove, army rank, **16**. 1168.
army record, **13**. 480.
ensign, **10**. 559.
lieut., **10**. 622.
to Caswell on his troops, **11**. 684-685.
Tarrant's House, 17. 998.
Tarrapin of Hightowa, signs treaty, **17**. 586.
Tarrora Creek, 2. 643.
Tarrytown, N. Y., 12. 517; **13**. 495; **15**. 719.
Tart, Mr., complains of clerks, **4**. 543, 580.
Tart, James, a J. P., **4**. 346.
juror, **4**. 521.
Tart, Joab, army pay, **17**. 254.
Tart, Jonathan, bill for services, **22**. 471.
Tart, Jona., juror, **4**. 521.
Tart, Joseph, a J. P., **4**. 224, 712, 813.
in assembly, **4**. 493, 559.
recommended as treasurer, **4**. 240.
road coms'r, **23**. 222.
Tart, Jos., juror, **25**. 189.
Tart, Thos., army rank, **16**. 1173.
pensioner, **22**. 87.
Tartanson, Francis, army rank, **16**. 1171.
commissioned as lieut. col., &c., **13**. 743-744, 797, 798.
roster of co., **16**. 1015, 1032, 1044, 1066, 1077, 1097, 1104, 1114, 1125, 1130, 1136, 1146, 1158, 1171, 1186.
lieut., **14**. 287.
recommended for capt., **22**. 909.
temp. com. to as capt., **11**. 443.
Tartar, 15. 239.
Tartar, galley, **13**. 296.
Tartar, ship, wrecked, **14**. 19.
crew of sent out of State, **14**. 36.
Tarver, John, exempted, **9**. 451.
Tarver, Samuel, in assembly, **21**. 872, 873, 927, 930, 931, 946, 965, 1012, 1015, 1021, 1030, 1032.
in conv. 1789, **22**. 38, 46, 48.
Tasqui, 1. 938.
See also Pasqui.
Tassel, Old. See Old Tassel.
Tassel, The. See Young Tassel, The.
Tassetsa town, 3. 129.
Tassey, Alexander, petition on C. H., **9**. 806-8.
Tassil, Aaron, claim, **20**. 165.
Tate. See Tait.
Tate, ——, in land suit, **15**. 409.
Tate, Mr., 11. 786.
Tate, Mr., reports on King's Mtn., **14**. 685.
Tate, Capt., 22. 1005.
Tate, Rev. Mr., 12. 473, 479.
Tate, Adam, court to be held at house of, **24**. 745.
petitions for citizenship, **13**. 848, 856, 937-938, 941.
Tate, Belitha, army pay, **17**. 253.
Tate, Jas., army rank, **16**. 1168.
army record, **13**. 475.
horseman, **15**. 509.
on confiscation act, **15**. 203-204.
on S. C. of Wilmington, **10**. 69, 72, 112, 141, 151, 159, 160, 220, 279.
pensioner, **22**. 87.
taxable, **15**. 192.
to Caswell on money, **22**. 784.
voter, **15**. 237, 238.
Tate, James, exempted, **6**. 1266.
Tate, James, memorial, **16**. 38; **18**. 34, 38, 68-69, 83, 268, 300, 316-317; **19**. 18.
Tate, John, army pay, **17**. 252.
major, **10**. 206.
Tate, John, suit against Harnett, **3**. 254-255, 332, 371, 399-401, 401-403.
Tate, Joseph, a J. P., **5**. 828.
dropped as a J. P., **5**. 828.
Tate, Joseph, army record, **13**. 480.
election inspector, **10**. 921.
lieut., **10**. 187.
petition on C. H., **9**. 806-808.
Tate, Jos., vestryman, **23**. 384.
Tate, Robert, claim allowed, **5**. 981.
Tate, Robert, fined, **9**. 652.
Tate, Samuel, fined, **9**. 652.
Tate, Samuel McD., favors publication of colonial records, **1**. vi.
Tate, Thos., pensioner, **22**. 89.
Tate, Thos., to Caswell on chaplaincy, **14**. 108.
Tate, Waddy, captain, **10**. 937.
Tate, Waddy, in militia, **22**. 418.
Tate, Wadey, receives clothing, **16**. 619.
Tate, Wm., army pay, **17**. 252.
certificate to, **19**. 157, 274, 275.
pensioner, **22**. 88.
prisoner, **16**. 672.
surveyor, **17**. 460.
to inventory loyalists' property, **10**. 554.
Tate, Zaccheus, army pay, **17**. 252.

Tate, Zaccheus, gun lost, **22**. 418.
Tate and Co., causes put off, **15**. 409.
Tatem. See Tatom, Tatum.
Tatem, James, Cont. lieut., **22**. 1049.
Tatem, Nath'l, in militia, **17**. 1042.
Tatham, Wm., in assem., **20**. 143, 149, 166, 167, 180, 189, 195, 200, 204, 205, 213, 217, 227, 229, 231, 232, 233, 238, 239, 240, 246, 267, 275, 285, 287, 288, 290, 294, 295, 387, 428.
lt. col. of militia, **20**. 402.
nom. as delegate to C. C., **20**. 230, 423.
town coms'r, **24**. 992.
Tatham, Wm., Watauga to be annexed, **10**. 708-710.
Tathusta, signs treaty, **17**. 586.
Tatman, Wm., horse thief, **22**. 858.
Tatmarsh, Urdby, 10. 615.
Tatom. See Tatem, Tatham, Tatum.
Tatom (Tatham?), ——, in assem., **20**. 181, 462.
Tatom, Capt., commands horse, **16**. 1201.
Tatom, Abraham, in militia, **22**. 394.
Tatom (Tatum), Absalom, 16. 526; **21**. 950.
allowance to, **17**. 417, 423, 425; **20**. 106, 109, 115.
appointed contractor, **12**. 791, 792.
army record, **13**. 474.
Burke to on paper, **15**. 564.
case considered, **17**. 297; **20**. 25.
coms'r on building, **24**. 235; **25**. 93; on land, **24**. 42, 483, 569.
committee on accts. of, **19**. 88.
draft on for tobacco, **22**. 597, 599, 600, 602, 605.
dist. auditor, **24**. 387.
election validated, **24**. 300.
fourloughs militia, **16**. 477.
in assembly, **13**. 806, 824, 914; **16**. 2; **21**. 3, 4, 6, 20, 21, 23, 47, 52, 66, 68, 74, 77, 109, 115, 121, 130, 133, 155, 190.
in conv. 1788, **22**. 4. 6, 26, 27, 30.
letter to ment'd, **16**. 449.
lieut., **10**. 187.
major, **16**. 193.
major of light horse, **23**. 734*f*; **14**. 264.
Martin to on laying off soldiers' lands, **16**. 713.
memorial, **19**. 225, 362, 363.
money due to, **16**. 129, 131; from, **21**. 1063, 1066.
nom. as signer of money, **17**. 413, 416.
pays fraudulent bills, **18**. 72, 304.
petitions, **19**. 932.
private sec. to Burke, **16**. 270.
receives pay for soldiers, **17**. 190, 197, 251, 260.
reports on ammunition, **15**. 552.
resigns as tobacco agent, **16**. 494.
surveyor, **17**. 460; **19**. 691, 698.
Sumner to on provisions, **15**. 457.
to Burke on expresses, **16**. 272; on killing of Balfour, &c., **16**. 244-245; on tories, **15**. 557-558.
to sign money, **20**. 100, 103.
Tatom, James, and army frauds, **18**. 375.
army pay, **18**. 212.
officer, **18**. 450.
Tatom, John, petition, **19**. 735.
Tatom, Joshua, pensioner, **22**. 88.
Tatum, ——, in assem., **20**. 479.
Tatum, Mr., 22. 591.
Tatum, Capt., in command, **12**. 519.
on court martial, **12**. 514, 536.
on guard, **12**. 510, 540.
prisoner, **14**. 817.
reënlistments in company of, **15**. 750.
roster of co., **16**. 1009, 1025, 1039, 1049, 1062, 1072, 1088, 1095, 1100, 1108, 1123, 1132, 1142, 1152, 1166, 1168, 1177, 1180.
Tatum, Lieut., in N. C. battalion, **13**. 343.
prisoner, **14**. 817.
rank, **16**. 664, 666.
supplies to, **16**. 241.
Tatum, Abraham, in militia, **22**. 394.
Tatum, Bernard, army pay, **17**. 252.
Tatum (Tatom, Tatham), Howel, army pay, **17**. 252.
army record, **13**. 474.
ensign, **10**. 187.
nom. for judge, **20**. 262, 442.
rank, **16**. 71, 576, 608, 1168.
receives pay for soldiers, **17**. 260.
roll of company, **15**. 726-729.
signs warrants, **18**. 797.
to Sumner on resigning his commission, **14**. 799-800.
Tatum, James, officer, **18**. 486.
prisoner, **16**. 673.
rank, **16**. 73, 577, 609, 1172.
receives pay for soldiers, **17**. 190, 260.
recommended as ensign, **11**. 597.
Tatum, John, army pay, **17**. 252.

Tatum, Jno., army rank, **16**. 1168.
Tatum, John, in army, **15**. 732.
Taulk, Wm., land grant asked, **4**. 440.
Taun, Ephriam, army pay, **17**. 252.
Taun, James, army pay, **17**. 252.
Taunt, Jesse, army rank, **13**. 512; **16**. 1172.
Taunt, Thos., army rank, **13**. 512; **16**. 1172.
Taunt, Wm., army rank, **13**. 512; **16**. 1172.
Taunt, Wm., in militia, **22**. 372.
Taverns, act on, **23**. 79-80, 725-8.
bill to regulate, **19**. 546; **20**. 220.
Tax lists, printed in lieu of census of 1790, **26**. iv, 1249-1313.
Tax-payers, lists of, **26**. 1249-1313.
Taxable property, act to ascertain, **24**. 200-4, 428-34.
bill to alter act defining, **19**. 423, 752, 754-755, 810-811; to amend act on, **19**. 632-633, 641, 651, 663, 676-677, 683, 687, 688.
book to be prepared for listing of, **12**. 567, 568, 673, 675.
list of wanted, **16**. 489.
report on, **22**. 1020.
returns to be made. **16**. 726.
Taxables, **6**. 1040, 1041.
act to get list of, **23**. 210-212, 337, 345-6, 526-31; for Newbern, **23**. 832-3.
bill to obtain list of, **4**. 1053, 1054, 1055, 1056, 1057, 1058, 1060, 1064; **6**. 456, 462, 464, 468, 490, 492, 499, 501, 502, 505, 506, 511.
definition of, **7**. 487.
in Pasquotank Co., **8**. 32.
in Rowan Co., **10**. 252, 253.
list of, **5**. 331, 570, 572, 575; for 1754, **5**. 320; not correct, **5**. 600; prepared, **8**. 379, 461, 464, 467, 472; to be made, **4**. 1048; **5**. vii; **6**. 1088-1089; **8**. 119; to be published, **24**. 808; to be returned, **6**. 1008; to be sent to governor, **5**. 461.
no list of, **9**. 1245.
number, **5** xlv; **6**. 613-614; 1027; **7**. xii, 145-146, 283-284, 288-289, 539, 540; at Bath, **6**. 1056; under Tryon, **8**. xlv-xlvi; to be reported, **5**. 144*h*.
report on, **7**. 499.
Taxes, **1**. 429.
account of U. S. with N. C. in matter of, **16**. 405.
act for, **23**. 72-73, 90-2, 117, 121, 168, 171, 181, 182, 233, 235, 238-9, 255, 287, 295, 296, 297, 315, 329, 342, 344, 347, 383, 395, 423, 460, 462-7, 470, 473, 518, 531, 546, 618, 663, 675, 752, 784-6, 896, 915, 916, 934, 968, 973; **24**. 6-9, 29, 92, 109-113, 127, 134-5, 136, 146-7, 200-4, 221-2, 243, 257-8, 277, 281-2, 302, 316-18, 348, 390-4, 429-34, 438-9, 453, 477, 492-3, 515, 517, 518, 519, 543-6, 556-60, 648-9, 651-5, 655-8, 681, 731-2, 750, 769, 784, 796-8, 802-3, 807-8, 813, 885-6, 913, 914, 915, 940, 941, 952-3, 963; **25**. 7-9, 12, 41, 77, 78-9, 80, 98, 160, 161, 166, 254-5, 261, 309, 311, 344, 346, 347, 348, 358-9, 389, 390, 391, 396-7, 477, 482; on considered, **6**. 69; and to be repealed, **5**. 107, 116; summarized, **19**. 689, 696; for C. H. in Edenton, **23**. 445; **25**. 341; for churches, **23**. 231-232, 338, 462-7; **25**. 243-4, 477; for defense, **25**. 331-3, 345-8, 350-2, 361-4, 370-2, 394-5, 397, 457-8; for destruction of squirrels, **25**. 199; for fire engines, **25**. 260; for poor, **24**. 92-3, 260, 318, 498; for town use, **24**. 618, 619, 842, 854, 917-18, 924-5, 977, 983; in Edenton, **23**. 138, 144, 145; in Edgecombe Co., **23**. 165; in New Hanover Co., **23**. 134-135, 148; in Newbern for church, **23**. 141; on peddlers, **23**. 674; **25**. 498-9; on trades, **23**. 674; for provision to, **24**. 344-7, 390-4, 434-7, 437, 459-60; for public buildings, **23**. 215-216, 337, 468-9, 491, 546, 592, 620, 621-2, 665, 711, 744-5, 750-2, 770, 821, 853, 869, 888, 907, 922, 925-6, 927, 928-30, 959, 964; **24**. 20, 23, 25, 27, 29, 137-9, 140-1, 142, 143, 145, 149, 150, 151, 152, 153, 177, 179-80, 182, 222, 226-7, 229, 231, 233, 235, 237, 238-40, 248-9, 252, 253, 288, 289, 291, 304, 410, 449, 455-6, 461-2, 463-6, 469-70, 471, 472, 473, 519, 520-2, 523, 524-5, 542, 594, 604, 618, 624-5, 630-3, 643-5, 692-4, 698-700, 701, 738-9, 745-6, 756-7, 763-4, 767, 768-9, 771, 782, 810-11, 827-8, 836, 839, 873, 880-1, 941-4, 949, 950, 968-9, 973, 975, 981, 989-91; **25**. 12, 15, 52, 60-2, 68-9, 81, 82, 93-4, 97-8, 106, 108, 113-14, 192, 208, 238, 239, 247, 268, 272, 285-6, 329, 330, 341, 343, 359, 462-3, 471, 472-3, 483-4; in Granville, **23**. 285, 339; for sinking fund, **23**.

217, 840-1, 850-1; **24**. 475-8, 482-5, 578-9, 682, 725, 886, 945-6, 952; **25**. 9, 174, 234-5, 238; to arm counties, **25**. 232-3; to pay for burned tobacco, **23**. 544-5; for warehouses for use in payment of, **23**. 212-213, 337; on accounting for, **23**. 424-32, 505, 789-90; on assessment and collection of, **24**. 109-113, 146-7, 222, 281-2, 316-17, 348, 429-34; on collection, **23**. 210-212, 345-6, 337, 526-31, 781-3; **24**. 429-34; on collection and accounting for, **24**. 651-5, 798-802, 803, 898-901, 952; **25**. 41; on commissions for collecting, **23**. 674; on embezzlement, **23**. 722; on intermarriages, **23**. 106-107, 334; on law suits, **23**. 814-8; on levying in Halifax and Edenton, **24**. 832-6, 963; on method of paying, **23**. 151-157, 161, 336; on sheriff's duty with insolvents, **23**. 970; to apply in Currituck Co., **23**. 593; to collect, **23**. 469; **25**. 342-3; in Beaufort and Pitt Cos., **23**. 592; in Newbern, **23**. 832-3, 961-3; in Rowan Co., **23**. 857; in Tryon Co., **23**. 832; to collect arrears, **24**. 626-629. 824. 866-7, 898-901, 945-6, 990; **25**. 111-12, 397-8, 473-4, 489; in Anson and Rowan Cos., **23**. 871; **25**. 521-2; in Orange Co., **23**. 627-9; in Tyrrell Co., **23**. 922-3; of specific, **24**. 824; to exempt D. S. Canal from, **25**. 86; new comers from, **23**, 3, 95; **25**. 120, 159; to extend time of sheriffs for settling, **23**. 767-8; to impose on stores, **24**. 726-30; to levy on those not in mil. service, **24**. 386; to reduce, **23**. 97; **25**. 162-6; notes on acts to lessen, **3**. 190; to regulate, **23**. 99; **25**. 173-5; to receive without depreciation, **24**. 633-4; to recover, **24**. 739; to require bonds of collectors, **24**. 953-4; to vest U. S. with power to collect, **24**. 561, 661.

address on, **9**. 1127.

alteration in needed, **8**. xvi, xvii.

amount, **1**. 559, 561, 598, 616, 630, 702; **3**. 29; **5**. 640; and character, **3**. xiv; considered, **6**. 811; due public, **9**. 68; in S. C., **2**. 723; of collections, **9**. xvi, xvii.

and Morris's notes, **16**. 695, 700, 701.

and regulation war, **8**. vi; **15**. 761-763; **22**. 410, 411.

and their relation to public debts, discussed, **16**. 357-379.

and war expenses, **16**. 406-407.

appointment of receiver for continental taxes considered, **16**. 303-304.

arrangements for, **19**. 856, 860.

arrears to be collected, **4**. 100-101, 144, 145.

assessment of, **1**. 168, 172.

balance due to State from, **19**. 549-550, 551-552.

bank notes receivable for, **16**. 305.

Beaufort Co. refuses to collect, **9**. 1157-1158.

bill for, **6**. 922; **17**. 384, 394, 395; **18**. 25-26, 37, 39, 50, 178, 271, 279, 321, 346, 352, 398, 410, 803; **19**. 414, 448-449, 455, 463, 479, 546, 547, 559, 568, 605, 653, 657, 684, 690, 703, 705, 744, 750, 759, 789, 792, 795, 800, 816, 817; **20**. 25, 40, 46, 53, 66, 101, 104-105, 321, 385, 443, 491, 508, 532, 582, 589, 592; **21**. 57, 58, 95, 108, 123, 128, 157, 160, 161, 167, 176, 182, 237, 240, 260, 264, 267, 296, 305, 323, 350, 600, 622, 661, 696, 726-727; for ascertaining, regulating, &c., **16**. 80-81, 83; for assessing on lands, **19**. 577, 592, 683; for church use, **20**. 152-153, 158-159, 165, 338, 385-386; for collection of, **8**. 361, 364, 366, 423, 424, 430, 435, 437; **9**. 112, 123, 160, 161, 195; for co. courts to levy for public buildings, **18**. 204-205, 259, 262, 267, 285, 286, 292, 327, 343, 392, 396, 398, 436; for easy collection of, **9**. 384, 463, 464, 500; for ferry, **20**. 165, 170, 179, 181, 186, 344, 356-457, 367; for levying by general assessment, **12**. 56, 65, 79, 87, 90, 91, 94, 111; for payment in commodities, **7**. 379, 385; for public buildings, **19**. 21, 27, 48, 60, 61, 65, 96, 107, 137, 141, 145, 148, 150, 153, 155, 157, 159, 160, 179, 181, 183, 186-187, 189, 202, 209, 248, 254, 255, 258, 259, 263, 265, 266, 267, 269, 270, 272, 275, 279, 301, 303, 304, 308, 309, 313, 314, 316, 328, 339, 340, 341, 409, 415, 417, 419, 422, 423, 427, 434, 446, 449, 452, 457, 470, 471, 472, 473, 479, 510, 511, 518, 521, 531, 532, 548, 550, 553, 571, 579, 583, 584-585, 586, 591, 592, 595, 602,

603, 610, 611, 622, 657, 660, 662, 676, 695, 734, 735, 737, 745, 751, 754, 755, 757, 758, 763, 765, 771, 773, 791, 795, 796, 800, 807, 809-810, 817, 819, 822, 823; **20**. 43, 45, 55, 64, 106, 140, 141, 153, 155, 156, 168, 179, 181, 187, 188, 189, 195, 200, 201, 206, 213, 222, 223, 224, 237, 250, 256, 264, 269, 300, 319, 330, 335, 339, 340, 352, 354, 355, 360, 364, 368, 377, 379, 408, 409, 443, 498, 508, 531, 532, 560, 570-571, 582, 584, 593; **21**. 203, 204, 208, 210, 211, 217, 298, 328, 329, 375, 577, 579, 586, 619, 643, 670, 688, 757, 759, 768, 809, 819, 821, 826, 828, 831, 833, 836, 837, 843, 904, 907, 908, 909, 925, 977, 978, 988, 992, 993, 996, 997, 998, 1000, 1001, 1003, 1004, 1007, 1010, 1016, 1028; in Camden Co., **20**. 530, 554, 560; in Newbern Dist., **21**. 285, 293, 316, 638; in various counties, **21**. 267, 276, 325, 343, 625, 671, 698; in Wilmington, **20**. 530; more equitable on lands, **18**. 261; more regular collecting, payment and accounting for, **19**. 795, 797, 812, 813; on auctions, **19**. 639; on collection of, **19**. 423, 424, 425, 752, 754-755; on provisions, **17**. 804, 805, 812, 821, 833, 895, 906, 907, 914, 923, 926, 927, 928; on special, **19**. 50, 112, 117; to amend act on, **16**. 139, 141, 151; **17**. 326; **18**. 76-77, 113, 148, 149, 160-61, 172, 177, 220, 310, 362, 374, 383, 388, 397, 417, 476-477; **19**. 93, 106, 114-115; **21**. 61; to appoint collectors, **9**. 192, 193; to ascertain amount of, **6**. 359, 360, 398, 399, 403; to ascertain what is taxable property, **18**. 321, 344, 390, 409; **19**. 154-155, 165, 167-168, 177, 196-197, 272, 274, 276, 282, 283, 287, 304; to ascertain method of paying, **6**. 543; to ascertain payment of in rated commodities, **6**. 480, 484, 502, 1225, 1230, 1272, 1274, 1282; to ascertain taxable property, collect t., &c., **13**. 555, 560, 569-570, 572, 597, 658, 669, 678-679, 702, 708, 709, 847, 880, 882-883, 891, 938, 944, 972-973, 980; to call sheriffs and others to account for, **20**. 50-51; to change t. on lands, **20**. 212, 390-391, 416, 473; to collect, **4**. 1053, 1054, 1055, 1056, 1057, 1060, 1064; **6**. 456, 462, 464, 468, 490, 492, 499, 501, 502, 505, 506, 511; **17**. 296, 300, 302, 351, 377, 402, 417; **19**. 402, 408, 409, 410, 425, 520-521, 531, 532, 534-535, 536, 541, 573, 579, 588-589, 591, 595, 599, 611, 612, 615, 642, 658, 660-661, 683, 695, 696, 723, 724, 731, 736, 755-756, 760, 807; **20**. 146, 153, 166, 167, 174, 177, 186, 276, 334, 342, 353, 354, 373, 443, 459, 470, 531, 532, 557, 559, 576; **21**. 40, 49, 62, 76, 78, 80, 87, 91, 116, 122; to collect arrears of specific, **18**. 115, 192, 287, 291, 323, 355, 363, 368, 373, 398, 399, 426, 430; to collect in various counties, **18**. 40, 129-130, 144, 149, 192, 199, 205, 246, 248, 271, 274, 276, 287, 291, 343, 355, 363, 368, 370, 373, 379, 398, 399, 427, 430; to compel accounts on, **5**. 502, 503, 504, 506, 508, 515, 530, 531, 532, 538, 540, 541, 553; to enable J. P.'s to levy for poor, **12**. 46, 82, 83, 125, 195, 196, 207, 208, 254, 337; to equalize on land, **21**. 209, 214, 223, 231, 258, 268, 584, 592, 598, 606, 607, 624, 786, 793, 818, 827, 839, 947, 956, 985, 991, 997, 998, 1008; to exempt from, **8**. 349; to expedite collection, **7**. 900, 903, 904, 905, 907, 911, 912-913, 914, 916-917, 921-922, 944, 946, 950-951, 955, 956, 960, 963, 967-968, 972, 973, 977, 978, 982; to fix, &c., **19**. 49, 75, 76, 115; to give levying power to courts, **16**. 53, 55, 65; to give power of to U. S., **19**. 624, 678, 684, 688, 690, 697, 705-707, 708; to levy, **12**. 162, 165, 176, 180, 181, 197, 198, 204, 205, 212, 225-226-227, 228, 238, 241, 244, 244, 247, 254, 256, 264, 323, 330, 347, 355, 370, 378, 379, 380, 385, 405, 411, 422, 428, 429-430, 452, 776, 803, 834, 867; **13**. 356, 358; **17**. 812, 893, 896, 897, 906, 907, 914, 923, 926, 927, 928; by general assessment, **13**. 534, 559, 562, 565, 579, 604, 665, 686, 700, 708, 716; for contingent expenses of counties, **13**. 756, 758, 762, 813, 818; for gov't, &c., **17**. 296, 321, 343, 384, 394, 395, 406, 410; in specie, **19**. 205, 333, 335, 348; in Wilmington, **18**. 211; on auctions, **19**. 644, 658, 701; to lighten, **7**. 908, 915-916,

928, 933, 936, 939, 961, 962, 971-972, 982; to make them payable in tobacco, **6**. 667, 674; to pay in commodities, **7**. 47, 50, 51, 57, 58, 65, 68, 69, 70, 75, 78, 82; to pay in rated commodities, **5**. 529, 533, 535, 537, 541, 544, 546, 549, 550, 551, 558; to pay Cont'l line, **19**. 411-412, 414, 431-432, 729, 740, 743, 767, 781, 789, 795, 798, 807, 818, 822; to pay for executed slaves, **20**. 153, 158, 333, 354; to raise, **16**. 67, 69, 91, 93, 111, 120, 126, 128, 135, 144-145, 153, 162, 166-167; **17**. 310, 321, 330, 331, 332; to redeem paper, **19**. 325, 356, 362, 415, 448, 464, 744, 777, 788, 798, 800, 809, 811-812; **20**. 205, 206, 263, 267, 287-288, 292, 385, 443, 468, 491, 513, 579, 586-588; to refund, **8**. 356, 359, 365, 383, 407, 411, 412, 416-417, 420, 433, 434, 478-479; to repeal part of act on, **17**. 300; **18**. 47, 277, 278, 285, 301, 321, 360.
by Cont. Cong. discussed, **11**. 648.
by Parliament likely to be removed, **8**. 43-44.
certificates taken for, **19**. 149, 262-263, 267.
claims and loan office tickets receivable for, **13**. 885, 886, 976.
collected in S. C. by Tryon Co. sheriffs, **23**. 908.
collection considered, **15**. 498; irregular, **16**. 6, 7; of special t. stopped, **9**. xviii; paid for by church wardens, **1**. 558; to be regulated, **5**. 525.
collectors, **19**. 706-707, 708; called to account, **1**. 559-561.
committee and reports on, **19**. 598-599, 601, 605, 697, 699, 704; **20**. 396-398, 479, 480, 483, 484, 485, 489, 492-493, 495, 496, 497, 505; on better mode of, **19**. 562, 563, 601; on ways and means of, **19**. 403, 406, 424, 431-432, 434, 728, 755, 759; to consider methods of, **12**. 50.
complaints of in Johnston Co., **4**. 960.
considered, **15**. 198.
Continental, N. C., behind on, **16**. 401, 402; to be collected separately from State, **16**. 383-385.
Cont. Cong. to Gt. Br. on, **10**. 80-82.
declaration on, **10**. 1004.
depositions on difficulty of collecting, **8**. 307.
difficulty in collecting, **5**. 441; in Pitt Co., **7**. 943-944, 951, 953.
direct, **22**. 19-20; regulation of Congress in matter of, **22**. 46, 50; by U. S. opposed, **21**. 962, 1029.
discussed, **17**. 37.
discussion of bill for, **16**. 956-957.
evaded in Bladen Co., **4**. 784.
evils from distraint, **7**. 679.
excess collected and not accounted for, **8**. 84.
exemptions from, **13**. 827, 828, 829, 833, 834, 836, 841, 842, 845, 918, 919, 920, 923, 926, 927, 931-932, 936.
extent and character in Orange Co., **7**. 771-773.
for Continental purposes not laid, **16**. 340-341.
for payment of public debt discussed, **16**. 406-408, 412, 413, 414-415, 428-434, 435-439, 466.
for public buildings, com. to examine, **4**. 1052, 1053.
forms of credit receivable for, **19**. 903.
freedom from, **3**. 154.
general character of, **2**. iv-v, 633.
Hillsborough to Tryon on position of Parliament on, **8**. 39.
hostility to, **9**. 690.
illegal, denounced by assembly, **3**. vii-viii; in Anson, **7**. 807-808.
impossible to collect, **1**. 851.
in Franklin, **22**. 654, 671, 674, 681.
in Tryon Co., **15**. 219-220.
inequality of, **7**. 865.
inexpediency of levying t. by Parlt., **8**. 61.
interpretation of law on, **2**. 329; wanted, **18**. 16, 245, 248.
Johnston on law to lessen, **4**. 27.
laid by assembly, **11**. 470; for redemption of currency, **10**. iv-v; to pay foreign debt, **17**. 111; to sink bills, **3**. 485.
Lee on right of Parl't to tax America, **10**. 153-155.
levied by church wardens, **1**. 829, 833; **2**. 11, 151; by vestries, **2**. 212; for public buildings, **21**. 42, 49, 52, 53, 62, 77, 86, 128, 129, 130, 161, 164; in kind, **15**. vii; in Pasquotank without authority, **2**. 615-616; to support Indian allies, **2**. 16.
limit per tithable, **2**. 11, 211-212, 287, 582.
limitations on laying, **22**. 663.

list of dues from sheriffs, **9**. 572-575.
lost to N. C. from S. C. boundary quarrel, **7**. 861-862.
Martin on, **9**. 1244-1245.
Massachusetts to N. C. on, **7**. 686-689.
may be paid in indigo notes, **23**. 646, 797; in tobacco notes, **23**. 410; to N. C. or to Franklin, **22**. 674.
methods discussed, **7**. xi, xii, xvi-xviii; of collecting to be inquired into, **5**. 692.
necessary for redemption of paper money, **16**. 322-324; for support of army, **16**. 239, 838-839, 845-848; to keep up Continental establishment, **11**. 682, 694, 696.
necessity for recognized by Cont. Cong., **11**. 604.
need of to save currency, **13**. 21.
needed to raise quota, **17**. 18.
none collected in disputed area, **6**. 7; paid by northern counties, **4**. 1166.
not collected, **4**. 982, 996.
not levied, **5**. 326; to cover Continental currency, **16**. 350-351.
not paid, **13**. 63, by northern counties, **4**. 1222-1223.
not to be laid by Parlt., **8**. 88-89, 115, 135, 138.
not well collected, **5**. xlv-xlvi.
note on act to collect, **8**. 5-6, 10; on act to raise £2000 annually, **3**. 189.
on carriages, **23**. 690, 702.
on law proceedings, **24**. 806-7.
on liquors and bills to be redeemed, **10**. 184.
opinion of Orange Co. on, **9**. 700-701.
oppression from, **8**. xv, xviii.
paid by State to U. S., **15**. 1; by the poll, **1**. 711; in grain, **14**. 396, 408, 421-422, 443, 458, 466, 470, 477, 485.
Parliament quoted on, **10**. 18.
payable in what, **16**. 197; **25**. 234.
payment recommended, **10**. 219; refused, **7**. 713; **8**. viii; in Rowan, **7**. 856, 857.
persons exempted from, **13**. 750-751.
petition against, **8**. 76, 77; illegal, **8**. 231-234; for readjustment of, **8**. 83; for repeal of that on free negroes, mustees and mulattoes, **6**. 982-983; that they be paid in commodities, **7**. 866-867; poll, bill for, **9**. 122, 123, 127, 134, 190, 191, 192, 194, 196, 203, 207, 221, 252, 253; bill to discontinue, **9**. 713, 714, 717, 744-745, 748, 752, 755, 817, 839, 848, 866, 881, 886, 895, 907, 943-944, 954-955, 959-961, 982-983, 989.
proc. money to be received for, **13**. 561-662, 596-597, 660, 664, 706-707, 739, 747, 774, 799-800.
proposed, **4**. 738-739, 746, 748; regulations for keeping accounts of, **8**. 95.
proposition by Parlt. on, **9**. 1207-1208; from colonies for building of forts, considered, **5**. 469-475; to repeal, **9**. 785.
Prov. Cong. on, **10**. 171.
provisions for, **10**. xxv; collecting when sheriff fails, **24**. 282.
rate in Craven in 1771, **9**. 226, 234.
reasons for exemption demanded, **9**. 462.
recommendations for, **21**. 145; that certain ones stop, **9**. 166.
refunded to Brunswick, **12**. 776-777, 833, 836.
refused by northern and southern counties, **6**. vii; by regulators, **8**. 227; by regulators in Anson, **8**. 255-256.
regulations adopted on inequalities in, **10**. 971; and control of, **23**. 606, 715-16, 718, 978.
regulators inquire into, **7**. 699-700, 702-703.
relations of colonies and Parlt. on discussed, **9**. 1138-1140.
remitted to Franklinites, **22**. 673; to Scotch immigrants, **4**. ix, 490, 512, 532-533.
removal of those by Parliament proposed, **8**. 39.
reports on, **4**. 527-528; **5**. 651, 652, 972-973; in 1756, **5**. 603; on extent and character, **18**. 280-283; on proceeds from, **6**. 201-208; on what are necessary, **24**. 648-9; on various assessments, **5**. 793-4, 797-9.
required for suffrage, **15**. 189.
resolutions on British interference with, **9**. 1025, 1031, 1035, 1037, 1038, 1044, 1048, 1144; on collection of, **7**. 983; on imposition of, **8**. 122, 134, 135; of Md. on right to levy, **8**. 158; of N. Y. Congress on, **7**. 121-122; on origin of bills

for, **6**. 909; on payment of, **17**. 681, 682, 762; of Va. House of Burgesses on right to impose, **8**. 40-42.
revoked, **23**. 928.
right of Parlt. to lay considered, **9**. 1085-1086, 1093, 1156, 1199; denied in test, **10**. 221; discussed, **10**. 223-224, 229.
same sort of Fed. t. do not suit both ends of Union, **22**. 793.
serve as basis of representation, **2**. 854.
should be collected, **5**. 298.
Smithwick on, **17**. 31.
specific, difficulty in collection of, **15**. 151; **22**. 1040; recommended, **15**. 76.
squandered by officers, **8**. 644.
Strudwick asks relief from, **15**. 212.
to be collected in provisions, **14**. 377, 389-390; in grain, **14**, 640, 720, 737, 742.
to be levied by assembly, **1**. 82; by inferior courts, **23**. 567; **25**. 289, 408; for churches, **1**. 544; **25**. 427-8.
to be payable in notes, **5**. 883, 916.
tories refuse to pay, **12**. 775, 778, 811-812, 832, 838-839, 877.
treasurer to sue for, **5**. 804; **9**. 217.
under Fed. Constn., **20**. 778, 779.
unlawful, cause regulation, **7**. xvi-xvii.
vestry to levy, **25**. 301-2.
views of in Eng., **9**. 1001; in N. C., **7**. iv, v, vi, xxiv.
See also Customs, Duties, Rent Roll, Rents, Revenues, Stamp Act.
Tay River, **7**. 216.
Tayburn, Allen, army rank, **16**. 1173.
Tayburn, Allen, army pay, **17**. 252.
Tayler. See Taylor, etc.
Tayler, Edward, commends Adams, **1**. 728-729.
Tayler, Mrs. Joanna, proves will, **1**. 581.
Tayler, Johannah, law suit, **1**. 606, 617-618, 620-621.
Tayler, John, lands of, **1**. 302.
Tayler, Jonathan, appraisers of estate of, **1**. 524.
Tayler, Jos., in militia, **22**. 416.
Tayler, Mare, bound out. **1**. 522.
Tayler, Samuell, juror, **4**. 522.
Tayler, Thomas, petitions on need of money, **7**. 866-867.
Tayler, Wm., in militia, **22**. 285.
Tayler, Wm., in militia, **22**. 428.
Tayloe, Paul, prisoner, **17**. 1045.
Taylor. See Tailer, Tailler, Tailor, Taler, Talor, Tayler.
Taylor, Indian King, makes treaty, **1**. 935-936.
sells site of Newbern, **1**. 932, 978.
Taylor, ——, a J. P., **3**. 244.
Taylor, ——, law suit, **1**. 400.
Taylor, Mr., **2**. 269, 270.
Taylor, Mr., **22**. 1047.
Taylor, Mr., hogs of held for govt., **17**. 677, 757, 758, 759.
Taylor, Mr., in assembly, **4**. 652.
Taylor, Mr., on com. of defense, **22**. 722.
Taylor, Rev. Mr., drafted and discharged, **22**. 946.
Taylor, Messrs., bill of paid, **16**. 657.
Taylor, Capt., **22**. 131. 132.
Taylor, Capt., roster of co., **16**. 1005, 1024, 1030, 1038, 1042, 1048, 1061, 1065, 1071, 1076, 1085, 1103, 1112, 1122, 1127, 1135, 1145, 1151, 1156, 1170, 1175, 1178, 1184.
Taylor, Col., **13**. 53.
asked to attend council, **11**. 584.
resigns, **11**. 444.
Taylor, Lieut., **11**. 164.
Taylor, Lt. Col., resigns, **11**. 376; **22**. 915.
Taylor, Maj., **12**. 517; **14**. 720.
commands marksmen, **12**. 530.
field officer, **12**. 531.
Taylor, Aaron, act to change name, **24**. 641.
bill to change name, **19**. 561, 588, 602, 606-607, 618, 661.
Taylor, Aaron, army rank, **16**. 1172.
Taylor, Abel, army rank, **16**. 1175.
Taylor, Abm., army rank, **16**. 1170.
Taylor, Abm., army rank, **16**. 1174.
Taylor, Abraham, in army, **13**. 513.
Taylor, Abra., land grant to, **4**. 335, 852, 894.
Taylor, Abra., Jr., land grant to, **4**. 336.
Taylor, Abrim., in militia, **22**. 324.
Taylor, Absalom, claims allowed, **9**. 953.
Taylor, Absalom, exempted, **5**. 537.
Taylor, Absolem, in militia, **22**. 324.
Taylor, Agnes, inquest on, **22**. 825.
Taylor, Andrew, juror, **4**. 522.
Taylor, Angus, petitions for McDugal, **9**. 683-684.

Taylor, Archibald, petitions for McDugal, **14**. 683-685.
Taylor, Benj., army rank, **16**. 1174.
Taylor, Benj., army rank, **16**. 1174.
Taylor, Benj., army rank, **16**. 1175.
Taylor, Benj., in militia, **22**. 391.
Taylor, Caleb, army rank, **16**. 1173.
Taylor, Caleb, in army, **13**. 505.
Taylor, Chas., army rank, **16**. 1175.
Taylor, Charles, imported, **1**. 395.
Taylor, Chas., in militia, **22**. 353.
Taylor, Chas., in militia, **22**. 415.
Taylor, Charles, juror, **4**. 519.
Taylor, Chas., quit rents of, **22**. 251.
Taylor, Charles, receives clothing, **16**. 619.
Taylor, Charles, sells land, **1**. 448.
Taylor, Charles, takes oath, **22**. 173.
Taylor, Charles, takes oath, **22**. 175.
Taylor, Charles, Sr., land grant to, **4**. 767.
Taylor, Rev. Charles Edward, chm. Northampton S. C., **10**. 140.
reads prayers in Prov. Cong., **5**. 1214; **10**. 169.
to S. P. G. on church affairs, **9**. 1003-1004; on his work, **9**. 20-23, 325-326.
Taylor, Cornelius, land grant to, **4**. 1247.
Taylor, Daniel, enlists, **22**. 473.
Taylor, Daniel, petitions for McDugal, **9**. 683-684.
Taylor, David, juror, **4**. 517.
Taylor, David, petition on separation, **22**. 705-11.
Taylor, Rev. Ebenezer, arrives in N. C., **2**. 294.
death of, **2**. 380-381, 430.
depends on voluntary contributions, **2**. 304.
estate of, **2**. 450-451.
robbed, **2**. 415.
suit over estate of, **2**. 492-493.
to go as missionary to N. C., **2**. 246.
to S. P. G. on his work, **2**. 331-333.
trials of, **2**. 372.
Taylor, Ebenezer, in militia, **22**. 390.
Taylor, Ed., juror, **25**. 188.
Taylor, Edmund, **22**. 156.
Taylor, Edmund, school trustee, **13**. 809; **24**. 297.
Taylor, Edmund, Jr., in conv. 1789, **22**. 37, 47, 48.
Taylor, Edward, juror, **4**. 520.
Taylor, Edward, land lapses, **2**. 487.
Taylor, Edward, surety, **9**. 1062.
Taylor, Elias, army rank, **16**. 1172.
Taylor, Elijah, pay to, **22**. 1014.
Taylor, Emanl., army rank, **16**. 1174.
Taylor, Francis, school trustee, **24**. 876.
Taylor, Frederick, payment to, **21**. 219, 221.
Taylor, Gabril, in militia, **22**. 348.
Taylor, George, imported, **1**. 395.
Taylor, Geo., land grant to, **4**. 274.
Taylor, Henry, army pay, **17**. 253.
Taylor, Hilary, gun impressed, **22**. 414.
Taylor, Hope, protests against regulators, **8**. 273-274.
Taylor, Hudston, pensioner, **22**. 88.
Taylor, Isaac, pensioner, **22**. 87.
Taylor, Isaac, petition on separation, **22**. 705-14.
Taylor, Ish., land grant to, **4**. 221.
Taylor, Jacob, army rank, **16**. 1175.
Taylor, Jacob, in militia, **22**. 323.
Taylor, Jacob, in militia, **22**. 392.
Taylor, Jacob, in militia, **22**. 494.
Taylor, Jacob, land grant to, **4**. 329, 619, 767, 805, 892, 965, 1050.
rights proved, **4**. 617.
Taylor, Jacob, maj., **20**. 272, 460.
Taylor, Jacob, owes State, **21**. 1070.
Taylor, James, **20**. 349.
Taylor, James, a J. P., **3**. 256.
Taylor, Jas., army pay, **17**. 252.
army rank, **16**. 1170.
Taylor, Jas., army rank, **16**. 1170.
Taylor, Jas., army rank, **16**. 1170.
Taylor, Jas., army rank, **16**. 1175.
Taylor, James, ast. secy. conv. 1788 and 1789, **22**. 7, 39.
Taylor, James, coms'r on boundary, **25**. 256; on road, **25**. 330.
Taylor, James, drives cattle, **14**. 413.
Taylor, James, in army, **13**. 513.
Taylor, James, in assembly, **21**. 737, 738, 751, 766, 770, 776, 778, 797, 814, 831, 851, 859, 872, 873, 876, 881, 882, 891, 897, 899, 902, 906, 913, 920, 930, 931, 934, 935, 936, 937, 941, 942, 946, 956, 958, 962, 965, 970, 980, 986, 999, 1000, 1003, 1004, 1006, 1012, 1013, 1015, 1020, 1021, 1023, 1026, 1031, 1032, 1041, 1049, 1050, 1055, 1060, 1061.
in C. of S., **21**. 386, 399, 703, 711.
letter from ment'd, **21**. 321, 660.
resigns from C. of S., **21**. 908.
Taylor, Jas., in militia, **22**. 318.
Taylor, Jas., in militia, **22**. 320.
Taylor, Jas., in militia, **22**. 392.

Taylor, James, land grant to, **4**. 589.
Taylor, James, nom. for clerk, **21**. 200.
Taylor, James, vestryman, **23**. 6.
Taylor, Mrs. James, **15**. 676.
Taylor, Jeremiah, petition on separation, **22**. 705-13.
Taylor, Jese, army rank, **16**. 1173.
Taylor (Tayler), John, **1**. 410.
advocate, **1**. 510.
affidavit on Culpepper Rebellion, **1**. 276-277; read, **1**. 301.
aids Miller to escape prison, **1**. 316.
attorney for, **1**. 754.
witness against Culpepper, **1**. 285.
witnesses affidavit of Biggs, **1**. 294; Biggs's petition, **1**. 326; Biggs's report, **1**. 248.
Taylor, John, **14**. 478, 484.
Taylor, Jno., army rank, **16**. 1168.
Taylor, Jno., army rank, **16**. 1169.
Taylor, Jno., army rank, **16**. 1171.
Taylor, Jno., army rank, **16**. 1173.
Taylor, Jno., army rank, **16**. 1173.
Taylor, Jno., army rank, **16**. 1175.
Taylor, John, cornet, **14**. 264; of light horse, **13**. 734*f*.
Taylor, John, ensign, **10**. 187.
resigns as ensign, **10**. 287.
Taylor, John, escapes, **14**. 727.
Taylor, John, furniture carried to house of, **22**. 567.
Taylor, John, in army, **13**. 510.
Taylor, Jno., in militia, **22**. 282.
Taylor, Jno., in militia, **22**. 283.
Taylor, Jno., in militia, **22**. 318.
Taylor, Jno., in militia, **22**. 319.
Taylor, Jno., in militia, **22**. 324.
Taylor, Jno., in militia, **22**. 356.
Taylor, Jno., in militia, **22**. 357.
Taylor, Jno., in militia, **22**. 391.
Taylor, Jno., in militia, **22**. 392.
Taylor, John, juror, **4**. 516.
Taylor, John, juror, **4**. 521.
Taylor, John, land grant to, **4**. 335, 349, 618, 766, 803, 891.
petition for land granted, **4**. 443.
Taylor, John, pensioner, **22**. 87.
Taylor, John, petitions for McDugal, **9**. 683-684.
Taylor, John, road coms'r, **23**. 214.
Taylor, John, soldier, **14**. 134.
Taylor, John, takes oath, **22**. 169.
Taylor, John, takes oath, **22**. 174.
Taylor, Col. John, **20**. 462.
a J. P., **23**. 993.
administers oath, **22**. 174, 175.
allowance to, **21**. 352.
auditor, **17**. 704, 705, 707, 783, 785, 786.
Board War to on salt, &c., **14**. 490.
buys lands, **20**. 412.
commissary, **14**. 384, 419, 465, 490.
coms'r on building, **24**. 845, 942; on pension claims, **24**. 736; on school, **24**. 297, 869; on town, **24**. 462, 622; to sign bills, **14**. 115.
committee to settle accts., **19**. 101, 104, 488, 828, 835.
dist. auditor, **24**. 373, 537.
execution stayed, **21**. 799, 964, 966.
in Assembly, **17**. 265, 266, 293, 304, 354, 359, 365, 366, 368, 387, 394, 395, 406, 410, 424; **18**. 227, 228, 257, 284, 297, 311, 317, 323, 350, 357, 361, 362, 376, 389, 399, 412, 429, 440, 443, 445, 469, 470, 471; **19**. 414, 415, 421, 460, 462, 463, 467, 487, 744, 809; **20**. 120, 121, 122, 124, 143, 168, 180, 238, 239, 240, 246, 276, 279, 287, 306, 330.
in Prov. Cong., **10**. 165, 167, 172, 500, 501, 523, 553.
nom. for colonel, **21**. 400, 712, 779, 936; as com. of confiscated property, **16**. 167, 169; **19**. 119, 122; for C. of State, **16**. 90; **17**. 858, 954; **19**. 57; for treasurer, **13**. 853, 881, 945, 972.
officer, **18**. 449.
on com. of assem., **17**. 279, 304, 797, 804, 807, 812, 822, 831, 844, 851, 852, 857, 870, 884, 885, 895, 897, 908, 923, 939, 955, 972; **18**. 9, 15, 28, 41, 47, 237, 242, 258, 272, 277.
on com. of Prov. Cong., **10**. 180, 504.
paper to, **16**. 470.
payments to **13**. 201, 202; **21**. 167, 179, 192.
petition, **16**. 44, 58, 59, 143, 146; **19**. 24, 31, 33, 43, 422, 679, 680, 703, 705, 753, 755, 932, 934; **21**. 221, 232, 250, 291, 297, 347, 369, 384, 395, 399, 434, 595, 607, 642, 683, 704, 711, 947, 954, 986; against, **21**. 285.
quoted, **18**. 608.
resigns as auditor, **16**. 116; **19**. 79.
returns by ment'd, **14**. 443.
salt to, **14**. 428, 430.
school trustee, **13**. 809.
sells horse, **19**. 928.
supt. of shoe factory, **14**. 435.
takes horses to Board of War, **15**. 712-713.

to gather corn, **14**. 414.
to grant certificate, **19**. 274, 275.
wheat to, **14**. 433.
Taylor, Jno., Jr., in militia, **22**. 324.
Taylor, John, Sr., **22**. 132.
Taylor, John, Sr., pensioner, **22**. 88.
revolutionary services, **22**. 154-8.
Taylor, John, Sr., nom. for solic. gen., **21**. 850, 1024.
Taylor, Jonathan, bound out, **1**. 522.
Taylor, Jonathan, in militia, **22**. 392.
Taylor, Jonathan, juror, **25**. 188.
Taylor, Jonathan, land grant to, **4**. 805, 851, 853, 894.
Taylor, Jos., army rank, **13**. 510; **16**. 1170.
in assembly, **17**. 794, 795, 837, 841, 846.
in conv. 1788, **22**. 2, 5, 7, 25, 28, 30, 31, 33.
nom. for brig. gen., **21**. 326, 662.
petition of considered, **17**. 667, 745, 750, 751.
Taylor, Jos., in militia, **22**. 270.
Taylor, Jos., in militia, **22**. 357.
Taylor, Joseph, land grant to, **4**. 894.
Taylor, Jos., pay to, **22**. 496.
Taylor, Joseph, petition on separation, **22**. 705-13.
Taylor, Joseph, takes oath, **22**. 174.
Taylor, Jos., to furnish guard, **19**. 869.
Taylor, Jos., volunteer, **14**. 839.
Taylor, Col. Joseph, asked to aid against regulators, **8**. 698.
claims allowed, **10**. 570.
clerk of ct., **13**. 363-364.
colonel, **10**. 207, 531.
commands regiment against Cherokees, **10**. 683; **11**. xvi, 328, 329, 343.
fears Indian war, **7**. 237.
judge, **12**. 109.
nom. as atty. gen., **13**. 755, 808.
on S. C. of Hillsboro Dist., **10**. 215.
reports on Cherokees, **7**. 210.
to Burke on Granville militia, **22**. 594-5.
Taylor, Joseph, Jr., signs loyal address to Martin, **9**. 1127.
Taylor, Joshua, a J. P., **15**. 693; **23**. 994.
Taylor, Joshua, act to change name, **24**. 641.
bill to change name, **19**. 561, 588, 602, 606-607, 618, 661.
Taylor, Joshua, in militia, **22**. 334.
Taylor, Joshua, in militia, **22**. 392.
Taylor, Juliana, case in court, **1**. 410.
Taylor, Leeroy, asks for new county, **9**. 92.
Taylor, Lemuel, in militia, **22**. 358.
Taylor, Lemuel, juror, **2**. 262, 263, 265.
Taylor, Lewis, **22**. 156.
Taylor, Lewis, army rank, **16**. 1174.
Taylor, Lewis, takes oath, **22**. 174.
Taylor, Lewis L., nom. for solic. gen., **21**. 850, 1024.
Taylor, Luke, in militia, **22**. 320.
Taylor, Luke, petitions on county bounds, **9**. 633-6.
Taylor, Mark, act to change name, **24**. 641.
bill to change name, **19**. 561, 588, 602, 606-607, 618, 661.
Taylor, Mary, imported, **1**. 395.
Taylor, Menchy, army pay, **17**. 254.
Taylor, Morris, army pay, **17**. 253.
Taylor, Moses, act to change name, **24**. 641.
bill to change name, **19**. 561, 588, 602, 606-607, 618, 661.
Taylor, Moses, juror, **4**. 521.
Taylor, Nath., a J. P., **3**. 537.
Taylor, Osborn, army pay, **17**. 254.
Taylor, P. B., near Capt. Fifer's, **14**. 780.
sent to Fisher's Mill, **14**. 778.
to Sumner on his movements, **14**. 777; on retreat of Br., **14**. 790.
Taylor, Parson, army pay, **17**. 254.
Taylor, Peter, **6**. 556.
Taylor, Philip, army rank, **16**. 1170.
captain, **10**. 518, 520; **11**. 832.
colonel, **22**. 132, 155.
letter from ment'd, **14**. 417.
nom. for col., **17**. 858; for lt. col., **17**. 954.
ordered to Chatham Co. with troops, and countermanded, **14**. 382, 385-386, 388.
reports on operations in Chatham and Randolph, **14**. 385.
Taylor, Philip, county coms'r, **23**. 626, 627.
Taylor, Reubin, in militia, **22**. 392.
Taylor, Richard, captain, **22**. 129, 154, 155.
Taylor, Richd., pensioner, **22**. 88.
Taylor, Rich'd, takes oath, **22**. 175.
Taylor, Mrs. Richard, **22**. 154.
Taylor, Rich'd C., pensioner, **22**. 87.
Taylor, Robert, exempted, **7**. 953.
Taylor, Robt., in militia, **22**. 324.
Taylor, Robt., in militia, **22**. 357.

Taylor, Robert, land grant to, **4.** 355, 884, 946, 970, 1242.
Taylor, Sampson, army rank, **16.** 1175.
Taylor, Samuel, a J. P., **4.** 46.
in assembly, **4.** 731, 433, 737.
juror, **4.** 524.
land grant to, **4.** 349, 590.
reports on grievances, **4.** 744-746.
rights proved, **4.** 626.
Taylor, Saml., army rank, **16.** 1173.
Taylor, Samuel, debts due by, **8.** 278-279.
Taylor, Samuel, exempted, **8.** 453.
Taylor, Sam'l, express rider, **15.** 478.
Taylor, Saml., in militia, **22.** 357.
Taylor, Sam., witness to treaty, **17.** 586; **18.** 495, 802.
Taylor, Saul, in militia, **22.** 357.
Taylor, Shadrack, in militia, **22.** 347.
Taylor, Simon, in militia, **22.** 378.
Taylor, Solomon, claim, **9.** 487.
Taylor, Stephen, petition on separation, **22.** 705-14.
Taylor, Thomas, a J. P., **2.** 526.
appraiser, **2.** 43, 323.
asks aid of Va., **1.** 837-838.
commends Adams, **1.** 728-729.
juror, **2.** 572, 597.
tried for assaulting a negro, **2.** 392.
vestryman, **2.** 209.
Taylor, Thos., a J. P., **23.** 995.
Taylor, Thos., army rank, **16.** 1171.
Taylor, Thomas, asks pardon for Fruit, **9.** 93-94.
Taylor, Thos., coms'r on lands, **24.** 285.
Taylor, Thomas, county clerk, **5.** 320.
enters caveat, **6.** 77.
forwards express, **7.** 1009.
land grant to, **4.** 710, 1247.
Taylor, Thomas, exempted, **5.** 1044-1045.
Taylor, Thos., in assembly, **25.** 159.
Taylor, Thomas, in militia, **9.** 59.
Taylor, Thos., in militia, **22.** 308.
Taylor, Thos., in militia, **22.** 344.
Taylor, Thos., in militia, **22.** 358.
Taylor, Thos., killed by Alston, **17.** 399-400; **20.** 69, 73.
Taylor, Thos., petition on separation, **22.** 705-13.
Taylor, Thos., port coms'r, **24.** 136.
Taylor, Thos., quit rents of, **22.** 245.
Taylor, Thos., quit rents of, **22.** 247.
Taylor, Thomas, regulator, **8.** 79.
Taylor, Thos., second major, **13.** 281.
Taylor, Thos., vestryman, **23.** 7.
Taylor, Col. Thos., **14.** 399.
allows soldiers to plunder and is suspended, **17.** 689, 691, 770.
ammunition to, **14.** 376, 377, 381, 389.
asked for men, **15.** 462.
Board of War to on movements against tories, **14.** 385.
discovers enemy, **14.** 667.
harasses Br., **15.** 89.
Harrington to direct movements of, **14.** 388.
joins Chatham militia, **15.** 557; Harrington, **14.** 683.
letter from ment'd, **14.** 243.
militia serve under, **15.** 640.
ordered to join Harrington, **14.** 673, 771.
reconnoiters, **14.** 659.
report to, **15.** 510.
reports on Br. and tories, **14.** 674; on movements of Br., **14.** 678; on troops of, **15.** 140.
sent to quell tories in Chatham, **15.** 413.
to join Harrington, **14.** 771.
Taylor, Thos., Jr., juror, **25.** 188.
Taylor, Thos., Jr., in assem., **6.** 1132, 1152, 1164, 1171, 1176, 1177, 1217, 1223, 1232, 1254, 1267, 1272, 1284, 1307; **7.** 48, 60, 64, 67, 70, 88, 342; on com. of assem., **6.** 1263.
Taylor, Thos., Jr., quit rents of, **22.** 247.
Taylor, Thos., Sr., a J. P., **3.** 234.
Taylor, Thomas, Sr., in assembly, **6.** 121, 122, 135, 143, 145, 146, 150, 161, 356, 358, 376, 392, 396, 427, 493, 641, 642, 661, 662, 664, 668, 800, 829, 830, 843, 847, 857, 886, 893, 895, 904, 912, 919, 924, 932, 956, 1103, 1106.
Taylor, Thos., Sr., juror, **25.** 188.
Taylor, Timothy, **2.** 355.
Taylor, Vinson, army pay, **17.** 254.
Taylor, Will., wagoner, **15.** 478.
Taylor, Wm., **10.** 95.
Taylor, Wm., a J. P., **4.** 813.
Taylor, Wm., a J. P., **4.** 813, 966.
and Tuscarora affairs, **7.** 360-361.
Indian commissioner, **5.** 31, 35.
Taylor, Wm., land grant to, **4.** 635, 641, 704, 707, 761, 853, 1049, 1238.
Taylor, Wm., rights proved, **4.** 640, 705, 1238.
Taylor, Wm., a J. P., **4.** 966.
Taylor, Wm., a J. P., **23.** 993.

Taylor, Wm., act to change name, **24**. 641.
bill to change name, **19**. 561, 588, 602, 606-607, 618, 661.
Taylor, Wm., army pay, **17**. 254.
army rank, **16**. 1172.
Taylor, Wm., army rank, **16**. 1175.
Taylor, Wm., arrested as loyalist, **10**. 639; and estate inventoried, **10**. 690; by council of safety, **11**. 304-305.
summoned to council, **11**. 683.
Taylor, Wm., attends council, **11**. 500.
Caswell to on case of Outlaw, **11**. 571; on meeting of council, **13**. 54.
in assembly, **17**. 265, 282, 305, 355, 359, 365, 368, 387, 391, 394, 395, 406, 425; **18**. 227, 228, 257, 266, 344, 345, 346, 351, 357, 361, 362, 376, 389, 399, 412, 429, 443, 470, 471; **20**. 120, 121, 167, 179, 230, 238, 239, 240, 276, 285, 287, 288; **21**. 2, 4, 30, 190.
in council of state, **12**. 25, 27.
in conv. 1788, **22**. 3, 5, 25, 26, 28, 30, 32.
in council of state, **22**. 917, 922, 926, 929, 931.
in Prov. Cong., **10**. 914, 915.
lieut. col., **10**. 517, 520.
nominated for C. of S., **12**. 562, 667.
on S. C. of Hillsboro Dist., **10**. 215.
signs oath as member of council of state, **11**. 363-365.
Taylor, William, bound out, **1**. 522.
Taylor, Wm., building coms'r, **24**. 642.
Taylor, Wm., claims allowed, **10**. 954.
Taylor, Wm., complains of sheriff and summoned to council, **8**. 149.
Taylor, Wm., gun lost, **22**. 448.
Taylor, Wm., in militia, **22**. 265.
Taylor, Wm., in militia, **22**. 353.
Taylor, Wm., in militia, **22**. 415.
Taylor, William, in militia, **22**. 496.
Taylor, Wm., juror, **4**. 522.
Taylor, Wm., juror, **4**. 524.
Taylor, Wm., leases Indian lands, **25**. 507-9.
Taylor, Wm., pensioner, **22**. 88.
Taylor, Wm., reprieved, **6**. 1017.
Taylor, Wm., witness, **1**. 989, 990.
Taylor, Wilson, money from, **21**. 1066.
petition, **20**. 487, 497; **21**. 14-15, 17, 29, 260, 282, 359, 631, 673-674, 694, 785, 943.
Taylore, Wm., in militia, **22**. 348.
Taylore, Wm., in militia, **22**. 348.
Taylors, Wm., land grant to, **4**. 589.
Taylors, Mrs., on post route, **7**. 454.
Taylor's Ferry, **14**. 378, 398, 424, 456, 500, 527, 578, 579, 600, 604, 638, 643, 653, 654, 658, 671, 690, 695, 696, 706, 717, 718, 727, 730, 735, 829, 836; **15**. xii, 117, 180, 456, 613; **17**. 1020.
British threaten, **15**. 586.
clothing at, **14**. 409.
fortified, **14**. 643.
guard to be at, **15**. 459.
Taylow, Col., **9**. 13.
Tayner, Arthur, in army, **13**. 517.
Tazewell, John, to Burke on Va. and public affairs, **14**. 308-309.
Tazewell, Mrs. John, **14**. 309.
Tea, bought for N. C., **20**. 701-703, 727.
duty on discussed, **9**. 1085-1086.
imported into Wilmington and action on same, **9**. 1089-1090.
resolution against, **9**. 1040, 1046.
use forbidden, **9**. xxx.
Tea Party, Boston, results, **9**. 1000.
Teach (Tach, Tack, Thatch, Thach, Thacke, Thack, Thache), Edward, **3**. 48.
account of voyage, **2**. 322.
action of Va. council on capture of, **2**. 327.
burns ship, **2**. 336, 339.
crew of, **2**. 341.
in complicity with Knight, **2**. viii-ix.
Knight defends himself against charges of complicity, **2**. 341-349.
letter from Knight, **2**. 343-344, 347.
losses in capture of, **2**. 325-326.
Moseley's charge against governor concerning, **2**. 359-360.
no application to Va. about, **2**. 319.
Pollock to Eden on, **2**. 318-320.
robs Bell, **2**. 341-343.
Spotswood to Lord Carteret on career and capture of, **2**. 324-327.
Spotwood's quarrel with N. C. over his goods, **2**. 333-340.
surrenders, **2**. 320, 322.
visits Knight, **2**. 341-342, 343.
Teachers, exempt from military duty, **24**. 455.
Teachey, Daniel, building coms'r, **24**. 642.
Teage, Capt., **5**. 564.
Teage, Edward, regulator, **7**. 734.
Teague, Capt., **22**. 826.
Teague, Abraham, in Hillsboro riot, **8**. 245.

to Tryon on regulators, **7**. 811-812.
Teague, Elijah, allowance to, **22**. 820, 821.
Teague, Elijah, takes out writ, **8**. 70.
Teague, Isaac, executed and paid for, **6**. 211.
Teague, Jos., meeting at house of, **8**. 68.
Teague, Joshua, agrees to restitution of fees in Rowan, **8**. 521-522, 534.
excluded from pardon as regulator, **8**. 613, 618.
regulator, **8**. 519.
to Husband on extortion and lack of justice, **8**. 68-70.
Teague, Joshua, regulator, **7**. 813.
Teague, Moses, **7**. 703.
Teague, Wm., **22**. 239.
Teague, Wm., claims allowed, **6**. 211.
Teague, Wm., land grants to, **4**. 884, 892, 894, 962, 1036, 1043, 1049, 1240, 1251; **6**. 77.
Teal, Rev. Mr., goes to S. C., **6**. 1039.
Teal, Ed., in militia, **22**. 387.
Teal, Emanl., army rank, **16**. 1173.
Teal, John, land grant to, **4**. 641.
Teal, Thomas, land grant to, **4**. 636.
Teaner, Jas., army rank, **16**. 1174.
Teary, David, army pay, **17**. 253.
Teate, Capt., commander of the Reserve, **1**. 804, 805-806.
Teawelly, Benj., reports on Halifax gun factory, **13**. 383-384.
Techhometria, **2**. 584.
Tedar, Thos., army rank, **16**. 1173.
Tederton, Elizabeth, stock for, **1**. 493.
Tederton, William, stock for, **1**. 493.
Tedor, Thos., army pay, **17**. 252.
Tedrick, Michael, horseman, **15**. 509.
Tedrow, Reuben, deposition on regulators, **8**. 497.
Teer, John, dead, **6**. 638.
deposition on agreement to break up assembly, **4**. 1193.
Telath, John, asks pardon for Hunter, **9**. 86-87.
Teldred, Lindway, petition against marriage act, **9**. 623-624.
Telfair, ——, **11**. 543.
Telfair, ——, Clay & Co., buy goods, **18**. 464.
sales to, **17**. 582.
Telfair, ——, Miller & Co., taken by the General Howe, **11**. 657.
Telfair, Mr., **11**. 596.
Telfair, Mr., introduced to Caswell, **13**. 270.
Telfair, Alexr., bond of to export staves, **11**. 331-332.
property confiscated, **19**. 672; **24**. 263, 424.
to state accounts of N. C. with United Colonies, **10**. 577.
Telfair, Edward, asks increased salary for inspectors, **5**. 961.
Telfair, Hugh, property confiscated, **19**. 672; **24**. 263, 424.
Tell, Wm., **8**. 741.
Telletcher (-sher), speech at Indian congress, **11**. 184, 185.
Tellet, Avery, army rank, **16**. 1168.
Tellico (Telico), **10**. 770, 774, 777, 779, 783, 784; **17**. 586.
burned, **10**. 884.
Tellico River, **5**. xxvi.
Tellies, town of, **5**. 612, 613.
Telloqua, **3**. 132.
Tellonson, Amos, army pay, **17**. 253.
Telph, Joshua, in militia, **17**. 1059.
Tempellton. See Templeton.
Tempellton, Jas., in militia, **22**. 398.
Tempellton, Robt., in militia, **17**. 399.
Tempelton, James, petitions on land grants, **9**. 1260-1262; **11**. 250-253.
Temperance, sloop, **10**. 423.
sent to W. I. for ammunition, **10**. 347.
Temperature, in Hillsboro, **8**. 32; in 1768, **7**. 797, 818, 849.
Temple, Earl, **16**. 441.
Temple, Mr., **11**. 288.
Temple, Frederick, regulator, **7**. 734.
Temple, John, asks pardon for Fruit, **9**. 93-94.
Temple, John, consul general of Gt. Br., **17**. 589-590; **18**. 521.
Temple, John, land grant to, **4**. 892.
Temple, Jos., in militia, **22**. 349.
Temple, Jos., in militia, **22**. 352.
Temple, Osburn, army pay, **17**. 253.
Temple, Sir Richard, examined on Culpepper Rebellion, **1**. 300-301.
on C. affairs, **1**. 242-244.
on Culpepper's action, **1**. 285.
proposal for recovery of customs arrears, **1**. 329-331.
signs presentment of Culpepper, **1**. 262-263.
Temple, Robert, juror, **2**. 83, 89, 93, 95, 96, 115.
Temple, Robert, return of company under, **15**. 739-740.
to Sumner on sickness and money, and answer, **15**. 741-742.

Temple, Solomon, in militia, **22.** 349.
Temple, Thos., in militia, **22.** 352.
Temple, Thomas, land grant to, **4.** 892.
Temple, Thos., offers as substitute, **22.** 895.
Temple, William, appraiser, **1.** 435.
Temple, The, 6. 47, 49.
Temples, Capt., sick, **14.** 335.
Temples, Robert, memorial, **19.** 602.
Templeton. See Tempellton.
Templeton, David, 5. 1206, 1208.
land grants to, **4.** 1246.
Templeton, James, school pres. and trustee, **24.** 535.
Templeton, Samuel, juror, **22.** 504, 506.
Templeton, Thos., army pay, **17.** 252.
army rank, **16.** 1172.
Templin, George, army pay, **17.** 252.
Temporary laws, efforts to stop the making of, **2.** 136.
instructions on, **5.** 1115.
report of committee of appeals on, **2.** 142-143.
Tems. See Toms.
Tems, ——, convinced, **1.** 216.
Temsell, Major, in militia, **22.** 398.
Ten Mile House, S. C., 22. 103, 121, 122.
Tenan, Robert, land grant to, **4.** 1246.
Tenancy in common, act on partition of lands held in, **23.** 835-8.
Tenancy under Proprietors, not desirable, **1.** 530.
Tenant, Mr., 11. 477.
Tenants, bill on collection of rent, **20.** 138, 140, 188, 319-320, 430.
Eng. act on frauds of in force in N. C., **23.** 326.
none in colonies, **2.** 633.
Tenants in common, act to include them in act on intestates, **25.** 27-8.
Eng. act on in force in N. C., **23.** 322.
Tenar, James, army pay, **17.** 254.
Tenassie, 7. 210, 211.
Tenctehenna, signs Choctaw treaty, **18.** 802.
Tendall. See Tindal, Tindall.
Tendall, John, land grant to, **4.** 761.
Teneriffe, 15. 507; **18.** 526.
trade with, **11.** 545.
wine of, **6.** 580; price, **16.** 1198.
Tening, James, asks pardon for Fruit, **9.** 93-95.
Tennan. See Tennen, Tinnen, Tinnin.
Tennan, Robert, land grant to, **4.** 1047.
Tennant, Wm., Jr., holds sacraments, **5.** 1214.
Tennen, Hugh, major, **10.** 532.
Tennessee, 5. 1161, 1189, 1190, 1192, 1216, 1220, 1223; **14.** 311; **16.** 2; **17.** 115, 428; **18.** 473; **19.** 146, 260, 692, 970, 978, 989, 999; **20.** vi, vii, 94, 96, 119, 120, 212, 654; **21.** v, vi, 255, 351; **22.** 100, 104, 105, 120, 128, 143, 144, 150, 152.
act for relief of those wounded by Indians, **25.** 58-9; on elections in, **24.** 765-6; to cede to U. S., **24.** 561-4, 678-9; **25.** 4-6; to prevent certain land grants in, **24.** 682-3, 811-12.
annals of army of, extracts from, **15.** 100-104.
Baptists in, **5.** 1175, 1185, 1188, 1191.
bill for court, **19.** 575, 577, 591, 597-598, 609, 617, 653, 664, 692, 697, 765; for fort, **21.** 123, 128, 129, 173; for pardon to Franklin leaders, **20.** 169, 171, 223, 235, 273, 277, 284, 346, 409, 444-445, 459-460, 465, 503, 512, 553-554; **21.** 218, 221, 222, 230, 231-232, 239, 256, 285-286, 586, 588, 594, 598-599; for school in, **18.** 45, 147, 275, 276, 317; on law suits, **20.** 577; on land grants, **21.** 219, 226-227, 229, 239, 592; on treason, **20.** 207, 247-248, 426, 433-434; to cede to U. S., **19.** 568, 586, 587, 612-613, 616, 621-622, 634, 642-644, 649, 650, 651, 654, 657, 682, 699-700, 701, 704, 711-714; **20.** 513, 535-536; **21.** 57, 58, 90, 95, 106, 257, 270, 277, 302, 311, 345-346, 376, 396-397, 626, 663, 679, 697, 699; to erect into a State, **21.** 257, 271, 277, 626; to establish gov't in, **20.** 142, 326; to make new court district, **20.** 212, 222, 224; to organize as West Carolina, **19.** 428, 761, 762; to prevent use of counterfeit certificates, **19.** 445, 458-459, 483, 761-762, 780, 788, 803, 825; to regulate land grants, **18.** 41, 263, 276, 283, 320, 452, 453; to repeal cession act, **19.** 420, 421, 440, 452, 453, 459-460, 741, 746, 747, 754, 761, 762, 766, 768, 773, 777-794, 802-803, 804-805, 814, 830-832; **20.** 202, 379-380.
ceded to U. S., **17.** vi, 77, 78-79, 81-82, 98, 100, 101, 110-111, 112, 135, 143, 146, 185, 186, 273, 274, 427-

428, 440-449, 458, 460, 464-465, 485, 545, 601, 623-625; **18**. 715, 717; **21**. 469, 503-504, 876-877; **22**. 794, 798; considered, **19**. 544-545; **21**. 559; discussed, **22**. 642, 643.
committee on disorders, **20**. 252, 273, 433-434, 485, courts needed, **20**. 401.
depositions on lands in, **17**. 666-667.
division into districts, **15**. 377.
dual gov't in, **22**. 674-5.
expd'n against Indians, **20**. 525, 534, 535, 557, 580, 598, 599.
Ft. Loudoun built in, **11**. 132, 151.
Indian encroachments forbidden, **19**. 469; troubles in, **22**. 790-1, 792, 912-13; war threatened, **20**. 712; **22**. 754-5.
land coms'rs to report, **19**. 212, 213, 214-215, 216, 218, 219, 220, 222, 223, 227, 229, 231, 344, 355.
land office opened, **20**. 643, 646, 653, 656, 689, 692.
Lutherans in, **8**. 777, 779, 781.
map of, **18**. 497.
papers on people of, **20**. 483, 489, 557.
petition from, **19**. 549, 572-573; **20**. 205, 384, 387, 487; on separation, **22**. 705-14.
proceedings for defense of, **22**. 722-5.
proclamation on encroachments, **17**. 105, 106, 109.
reasons for repeal of cession act, **22**. 644.
reduced to submission by N. C., **8**. iii, xxi.
resolution of C. C. on cession, **20**. 240.
returns of troops in, **20**. 768-770, 772, 773.
service to by N. C., **22**. 643.
settled by regulators, **8**. 652.
supreme court of, **21**. 180-181.
surveyors for, **19**. 690-691, 692, 697, 698, 702.
time for sheriffs to settle, **20**. 591, 595.
troops for, &c., **20**. 654, 677, 703-705, 709-710, 714-715, 721-722, 731, 758-760, 771-2, 786-9.
Watauga the beginning of, **10**. xxvi.
Tennessee County, **21**. 255, 308, 370, 375, 605, 619, 692, 715, 1007.
act for co. to treat those wounded by Indians, **25**. 58-9; on salt making, **25**. 31-3; to create, **24**. 972-3; to fix time of co. cts., **25**. 16; to put into Miro Dist., **24**. 975.
members in assem., **21**. 194.
members in conv. 1788 and 89, **23**. 38.
tobacco inspection in, **25**. 44-5.
Tennessee Historical Society, extracts from records of, **15**. 100-104.
Tennessee Lutheran Synod, **8**. 781.
N. C. churches connected with, **8**. 792, 795.
organized, **8**. 782.
Tennessee (Tenasee, Tanissee, Tenassy) River, **5**. xxvi; **6**. 617; **8**. 569; **10**. 713, 765, 846, 883, 884, 885; **17**. 77, 79, 85, 87, 579, 580, 583; **18**. 493, facing 496, 604, 696, 697, 698, 757, 758; **20**. 582, 643, 646, 653, 656, 689, 692, 722, 730; **21**. 306, 351, 528, 635; **22**. 113, 146, 650, 657, 658, 666, 675, 678, 681, 683, 695, 696, 722, 724, 727; **24**. 224, 301, 479, 483, 540, 565, 830; **25**. 6.
act for new station on, **24**. 974-5; **25**. 63.
bill for fort, **21**. 123, 128, 129, 173; for station on, **20**. 569, 585-586, 593.
lands bought on, **9**. 1130; **16**. 151; entered, **17**. 624; **22**. 641; reserved for soldiers, **16**. 103-4, 892; **24**. 338; to be entered, **22**. 671.
navigation dangerous, **14**. 244.
petition from settlers on, **21**. 105, 107, 109.
settlement in bend of, **18**. 608.
settlers on, **17**. 140.
South Carolina to build fort on, **5**. 610.
Spaniards settle on, **17**. 14, 16.
Tennet, John, quit rents of, **22**. 260.
Tennison, Abram, Jr., bad man, **21**. 752.
Tennison, Abram, Sr., bad man, **21**. 752.
Tennison, Absim., army rank, **16**. 1174.
Tennison, Absalom, bad man, **21**. 752.
Tennison, Jack, bad man, **21**. 752.
Tennison, Jos., bad man, **21**. 752.
Tennison, Mattw., army rank, **16**. 1175.
Tennison, Thos., bad man, **21**. 752.
Tenpenny, Nathaniel, gets execution against debtors, **10**. 316.
Tenth Continental Battalion, **22**. 781, 782, 905.

Tenth Regiment North Carolina Line, **22**. 94, 111.
allowance to for rations discussed, **12**. 326-327.
arrears due to to be paid, **12**. 332.
Bryan paymaster of, **12**. 364.
com. to inquire into conduct of in failing to join Washington, **12**. 131-135, 156-157, 266-267, 270, 293-298, 318.
difficulties in recruiting, **22**. 919.
marching orders for, **22**. 904-5.
memorial on clothing for, **11**. 670-1; **12**. 268.
money advanced to Long for, **12**. 352.
officers and men of to be paid, **12**. 160.
report of com. to inquire into conduct of, **22**. 779-83.
report on recruits for, **22**. 925-6.
salt furnished to, **12**. 317, 320.
supplies to, **22**. 927.
winters at Georgetown, **13**. vii.
Tenure, act on not in force in N. C., **23**. 327.
Tenure of lands, in Cape Fear Colony, **1**. 45.
in N. C., **4**. 54.
methods and privileges, **1**. 60-67.
Terler, John, on regulation of Cross Creek, **15**. 209-211.
Ternage, Jacob, army pay, **17**. 254.
Ternant, Col., **13**. 498.
Ternant, John, reports on casualties at Charleston, **14**. 814-815.
to confer on surrender of Charleston, **14**. 814.
Ternay, Monsieur, watched by Arbuthnot, **15**. 291.
Terrall. See Terrel, Terrell, Terril, Terrill, Terryl, Therrell, Tirrell.
Terrall, Richmond, army rank, **16**. 1170.
Terrapin, The, Indian, **10**. 776, 783.
Terrapine Hill, **3**. 574, 580.
Terrel. See Terrell, etc.
Terrel, ——, **5**. 1090.
Terrel, Jno., army rank, **16**. 1173.
Terrel, John, land case of, **5**. 1092.
Terrel, Robert, juror, **4**. 523.
Terrel, Timothy, a J. P., **4**. 951, 1041, 1243.
Terrel, Wm., co. coms'r, **25**. 14.
Terrell. See Terrel, etc.
Terrell, Hezekiah, in militia, **22**. 377.
Terrell, James, Baptist minister, **5**. 1184.
Terrell, Jeptha, in militia, **22**. 378.
Terrell, Jeptha, petition, **18**. 412; **21**. 834, 1006, 1025.
Terrell, Jeremiah, regulator, **8**. 80.
Terrell, John, land grants to, **4**. 635.
Terrell, John, takes oath, **22**. 172.
Terrell, Jno., Jr., in militia, **22**. 378.
Terrell, Joseph, in militia, **17**. 1059.
Terrell, Micajah, signs Cumberland Co. Ass'n, **10**. 29-30.
Terrell (Terrel), Simon, act to relieve from recognizance, **24**. 762-3.
bill to release from forfeiture, **20**. 81, 93, 112.
petition of considered, **17**. 298, 302, 372, 373, 382, 386.
Terrell, Wm., **14**. 580.
Terrell, William, estate, **1**. 400.
Terrence, Adam, to try loyalist, **10**. 253, 254.
Terrents, James, at council on tories, **15**. 123-124.
Terril. See Terrall, Terrel, Terryl, Therrell, Tirrell, etc.
Terril, Harry, navigation coms'r, **25**. 107.
Terril, Simon, paroled prisoner, **22**. 551.
Terrill, Ezeciah, in militia, **22**. 367.
Terrill, Richmond, army pay, **17**. 254.
Terrill (Terril), Timothy, a J. P., **4**. 951, 1041, 1243.
land grant to, **4**. 764.
Territories, ordinances for govt., **20**. 740-6, 774.
Terry, Capt., company mutinies, **22**. 820.
Terry, Rev. Mr., to preach to army, **8**. 604.
Terry, Davd., army rank, **16**. 1173.
Terry, Finch, in militia, **17**. 1059.
Terry, James, affidavit of quoted, **13**. 150.
before Prov. Cong. as loyalist, **10**. 930, 932.
disqualification considered, **17**. 307.
in assembly, **17**. 290, 293, 413-414; **19**. 717.
questioned on regulation troubles in Anson, **15**. 762-763.
reports on regulators in Anson, **22**. 411.
Terry, James, land grant to, **4**. 703.
rights proved, **4**. 598.
Terry, James, takes oath, **22**. 174.
Terry, Nathaniel, prisoner, **16**. 672.
Terry, Olive, army pay, **17**. 252.

Terry, Peter, allowance to, **19.** 574, 576, 630, 637.
Terry, Pet., petitions for division of Orange Co., **9.** 809.
Terry, Pompey, army rank, **16.** 1175.
Terry, Richard, on Cary Rebellion, **1.** 784-787.
Terry, Roland, takes oath, **22.** 174.
Terry, Stephen, takes oath, **22.** 174.
Terry, Thos., in militia, **17.** 1059.
Terry, Thos., on regulator troubles, **8.** 307.
Terry, Thos., pensioner, **22.** 88.
Terry, Wm., allowance to, **22.** 822.
Terry, Wm., land grant to, **4.** 1251.
Terry, Wm., Jr., road coms'r, **23.** 908.
Terryl. See Terrall, Terril, etc.
Terryl, Richmond, in army, **15.** 719.
Tertia Pars Sum, &c., **2.** 583.
Teshuhenochlock, signs Choctaw treaty, **18.** 802.
Tesister, Lawrence, lands of escheat, **2.** 331.
Tesle, Wm., petitions, **19.** 933.
Tesley, Jno., army rank, **16.** 1173.
Test, administered, **7.** 522; to the disaffected, **11.** xviii; to members of secrecy committee, **10.** 440.
adopted by Prov. Cong., **10.** iv.
for members of Prov. Cong., and council, **10.** 212.
new one substituted and signed, **10.** 684.
relating to powers of Parl't to tax signed, **10.** 427, 436.
signed by Prov. Cong., **10.** 171.
taken by Pitt Safety Com., **10.** 221-222.
text of, **10.** 370-371.
to be taken by suspects, **10.** 476; by vestries, **25.** 426, 429.
Testator, Eng. act on in force in N. C., **23.** 320.
Tester, Robert, imported, **1.** 394.
Testimony, regulation in taking, **23.** 939.
Tetchey, Daniel, petitions for lands, **4.** 954-956.
Tethtowe, makes treaty, **3.** 129-133.
Tetibockshieka, signs Indian treaty, **18.** 515.
Tewanko Creek, **2.** 778.
Tewohomony (Keew-ahomony) Creek, **2.** 786, 812.
Texas, **8.** 794.
Texel River, Jones carries vessels into, **15.** 339.
Thach, Green, in militia, **15.** 400.
Thackney, Jno., in militia, **22.** 348.
Thackney, Jos., in militia, **22.** 348.
Thackrell, Jonathan, enters caveat, **2.** 607.
Thackston. See Thaxton.
Thackston, ——, **14.** 427.
Thackston, Capt., quoted on regulation spirit, **7.** 714.
to raise men against regulators, **7.** 707.
Thackston (Thaxton), James, **7.** 506, 706; **8.** 245; **10.** 205(?); **14.** 504; **15.** 780; **16.** 958, 862; **17.** 153, **22.** 215, 417.
asks for inspection, **8.** 80*a*.
at Moore's Creek, **11.** 283, 284.
colonel, **11.** x; **13.** 168.
commands at Peytonsburg, Va., **13.** ix.
Cont. col., **22.** 1049.
exchanged, **16.** 543.
field officer, **12.** 492.
in assem., **20.** 127, 133, 146, 150, 167, 180, 230, 276, 285, 287, 288, 314.
in Cincinnati, **17.** 134.
lieut. col., **10.** 516, 520; 4th regt., **22.** 115, 118.
makes return of troops, **14.** 444.
memorial, **18.** 421; **20.** 168, 350; **21.** 355, 389, 424, 721.
misrepresents arrangement of troops, **15.** 562.
nom. for brig. gen., **20.** 261, 442.
officer, **18.** 485.
on court martial, **19.** 909.
on half pay, **16.** v.
on Lamb's trial, **14.** 352.
on need of guard, **14.** 394.
on reasons for small levies, **13.** 316.
pay roll of company and bill for services, **22.** 450-2.
pay to, **22.** 1016; for recruiting, **10.** 879-880.
protests against appointment of Hand, **11.** 750-751.
receipts for rations, **22.** 473.
recommends Dixon, **15.** 708.
reduced to half pay, **15.** 420.
resigns, **15.** 501.
retired on half pay, **16.** 61-62, 64-65.
shoes to, **14.** 441.
sick, **13.** 276.
takes deposition, **7.** 798, 799.
to Hogun on provisions for troops, **13.** 460-461; **15.** 714.
to retire, **16.** 610.

to Sumner on discharge of troops, &c., **14**. 338-339; on slave hire, **17**. 141; on mustering out of troops, &c., **15**. 745-746; on taking a new command, **14**. 792.
to Tryon on regulators, **8**. 246-247.
Tryon to on Hillsboro riots, **8**. 678-679.
witness, **8**. 532; **22**. 428.
Thackston, James, & Co., allowance to, **18**. 448, 457.
Thackston, Jones (James?), colonel, **10**. 205.
Thackston, Thos., army pay, **17**. 252.
Thackston, Wm., witness, **22**. 477.
Thackston & Company, 24. 982.
Thackston (Samuel) & Johnstone, payment to, **22**. 442.
receipt for goods, **22**. 454-5, 469.
Thall, John, inquest on, **22**. 825.
Thally, John, denies charges of disloyalty, **10**. 68.
Thames, 1. 975, 976.
Thames, ship, **15**. 308.
Thane, ——, Presby. missionary, **5**. 1199.
Thanksgiving, appointed, **19**. 223, 358, 360.
celebrated, **5**. 1155-1156.
day set apart for, **6**. 758; **11**. 665-666, 667; **19**. 223; **22**. 931, 961.
for Gates's victory over Burgoyne, **12**. 148-149.
hymn for, **6**. 62-64, 65.
proclamation for, **5**. 931-932, 994; **6**. 342; by Cont. Cong., **11**. 795-796; **16**. 425-426, 906-907; for surrender of Burgoyne, **11**. 805.
provided for, **13**. 6.
Thannton, Thomas, juror, **4**. 524.
Tharp. See Thorp, Thorpe.
Tharp, America, in militia, **22**. 166.
Tharp, Bishop, army rank, **16**. 1170.
Tharp, Chas., army rank, **16**. 1173.
Tharp, Eleazer, army rank, **16**. 1173.
Tharp, Henry, in militia, **22**. 166.
Tharp, Jas., army rank, **16**. 1173.
Tharp, James, in Davidson's co., **14**. 294.
Tharp, Jno., army rank, **16**. 1173.
Tharp, John Allen, asks for new county, **9**. 90.
Tharp, Jonathan, pensioner, **22**. 87.
Tharp, Thos., in militia, **22**. 166.
Tharpe, Wm., to Caswell on proposed treaty with Cherokees, **13**. 203-204.
Tharrington, Thos., in militia, **22**. 379.
Thatch, Bonnet, 2. 325.
Thatcher, David, army rank, **16**. 1175.
Thawans, holds lands by leave of Six Nations, **5**. 464.
Thawans Town, 5. 465.
Thaxter, Mr., brings treaty, **16**. 918.
Thaxton. See Thackston.
Thaxton, James, army pay, **18**. 732.
Thaxton, Jas., army rank, **16**. 1169.
Thaxton, Wm., receives clothing, **16**. 619.
The Banks, Indians on, **5**. xli.
The Cruizer, war ship, **9**. iv.
The Ferry, on post route, **7**. 149.
The Hague, 17. 40, 41.
The Heart of Jesus, arrives in Edenton, **13**. 291.
The Lord Chatham, privateer, **13**. 291.
The mines, 14. 744.
The Mint, inmates of in N. C., **1**. 767.
Theach, Green, in militia, **22**. 358.
Theach, Joseph, in militia, **15**. 400.
Theater, in N. C. in 1768, **7**. 786-787.
Theborn, Gilbert, asks pardon for Fruit, **9**. 93-95.
Thefts, 1. 650.
act to prevent by negroes, **24**. 890-1, 956.
and robbery, bill to prevent, **20**. 156, 158, 178, 180, 187, 338, 356, 417, 498, 556.
branding for, **1**. 401; **4**. 597.
in North Carolina, **3**. 49.
whipping for, **1**. 401.
Thel, Thomas, land grant to, **4**. 636.
Thelford, Wm., claim, **9**. 487.
Thenney, George, asks for resurvey, **4**. 224.
Therby, Thos., land lapses, **2**. 426.
Thereadgill. See Threadgill.
Thereadgill, Wm., resigns as J. P., **20**. 510.
Therrell. See Terrall, etc.
Therrell, Abraham, in army, **13**. 523.
Therrill, William, in assem., **1**. 273.
Thetford, Willr., protests against regulators, **8**. 273-274.
Thetis, brings in goods, **9**. 1103.
Thetis, ship, escapes, **15**. 121.
Thexton, Wm., army rank, **16**. 1174.
Thicketty, S. C., 14. 764.
Thickpen. See Thiggpen.
Thickpen, Henry, lapse patent to, **2**. 524.
Thickpen, Isaac, in militia, **22**. 285.
Thickpen, Jas., juror, **25**. 186.

Thickpen (Thickpenn), James, relieved from tax, **2.** 616.
Thickpenn, James, ferry at house of, **2.** 184.
Thief, killing of, Eng. act on in force in N. C., **23.** 322.
Thieme, Jacob, 8. 762.
Thiggpen. See Thickpen.
Thiggpen, James, juror, **2.** 83, 116.
Thigpen, Bartholomew, army pay, **17.** 253.
Thigpen (Thiggpen), Eliz., petition, **1.** 578.
Thigpen (Thickpen), James, at court, **1.** 389.
attorney, **1.** 534-535.
bill proved, **1.** 432.
court held at house of, **1.** 653-656.
detains apprentice, **2.** 262.
holds property, **1.** 411.
juror, **1.** 388, 415, 433, 623.
law suit, **1.** 433-434.
petitions for road, **1.** 609.
proves power of att'y, **1.** 532.
road overseer, **1.** 605.
witness, **1.** 578.
Thigpen, Nathan, bad man, **21.** 752.
Thigphen, Gilead, pensioner, **22.** 87.
Thimbras, 22. 425.
Third Auditor's office, 22. 115.
extracts from records of, **17.** 1047-1048.
Third Broad River, bill on fish, **20.** 170, 180, 181, 355.
Third Creek, 5. 357.
fort on, **25.** 331; to be on, **5.** 497.
Third North Carolina Battalion, 15. 702.
Blythe in, **14.** 323.
Jones tried, **15.** 709.
money for, **15.** 699.
report on, **22.** 756.
returns of at Carthagena, **15.** 755-759.
Third North Carolina Regiment, 16. 61, 258, 259, 610, 638-639; **22.** 747.
consolidated, **15.** 765.
disbanded, **14.** 70-71.
rank of officers, settled, **15.** 699-700.
recommendation for promotion in, **15.** 708, 709.
Third Regiment North Carolina militia, 22. 98, 103, 1022.
report on, **17.** 1043.
Third Regiment South Carolina Line, 22. 129, 152, 153.
Third River, 5. 7.
Thirnton. See Thornton.
Thirnton, David, army pay, **17.** 253.
Thirtieth Regiment (Br.), embark, **16.** 615.
Thirty-third Regiment (Br.), 17. 989.
at Camden, **15.** 267, 270.
at Guilford C. H., **17.** 1003, 1004, 1024.
fortunes, **15.** 51, 54.
remains in Va., **15.** 538.
reports on, **17.** 1009, 1027.
to invade N. C., **15.** 261, 282.
Thirty Years War, 8. 768.
Thiselwood, Sam., in militia, **22.** 284.
Thockray, John, quit rents of, **22.** 251.
Thom, Mr., 7. 506.
Thomas. See Tommus.
Thomas, ——, negro, **12.** 360.
Thomas, Mr., 10. 606.
Thomas, Mr., 11. 43.
Thomas, Mr., 19. 888.
Thomas, Mr., brigade Q. M., **12.** 493.
draws bills on treasury, **10.** 795.
in charge of money, **15.** 699.
issues clothing for troops, **14.** 714-716.
Thomas, Mr., in assembly, **21.** 358.
Thomas, Mr., paroled, **16.** 588.
prisoner, **15.** 668.
Thomas, Mr., to lay out new encampment, **12.** 487.
Thomas, Capt., 15. 63.
behaves badly, **15.** 423.
captures British, **15.** 9.
Thomas, Col., losses at King's Mtn., **14.** 675.
marches against Cherokees, **10.** 651.
Thomas, Dr., 2. 387.
Thomas, Gov., of Pa., **5.** 472.
on Germans in Pa., **8.** 729.
Thomas, A. C., 20. 699.
Thomas, Aaron, pensioner, **22.** 87.
Thomas, Abishai, agent for settlement of public accounts, **21.** 514, 517, 526, 537, 538, 549, 560.
allowance to, **19.** 686; **21.** 186, 187.
army rank, **16.** 1168.
clerk of assem., **20.** 123, 305, 306, 480, 483, 597.
clothing to, **14.** 716.
coms'r to settle U. S. accounts, **21.** 220, 227, 230, 295, 348, 356, 594, 685.
helped by Williamson, **22.** 793, 796, 797.
in assem., **20.** 4, 33, 52.
in N. C. brigade, **13.** 427.

Johnston to on accounts with U. S. and answer, **21**. 511-512, 538, 539-540, 549, 553-554, 570-573.
letter, &c., on settlement of accounts, **21**. 812, 856, 859, 867, 868, 979, 980, 1037, 1042, 1044, 1059.
makes return of stores, **14**. 378.
memorial, **19**. 223, 361.
money to, **14**. 433.
nom. as coms'r to settle accounts with U. S., **20**. 561, 580, 595, 596; **21**. 117, 128, 150, 160; for clerk, **21**. 7, 15, 22.
note by, **16**. 1035.
receives accounts, vouchers, etc., **22**. 1017; pay for soldiers, **17**. 189, 191, 192, 198, 199, 208, 210, 213, 216, 222, 229, 230, 237, 238, 242, 243, 246, 252, 256, 263.
reports on Br. movements, **15**. 428; to assembly on settlement of public accounts with U. S., **22**. 803-11.
return of swords by, **14**. 438.
signs report of N. C. coms'rs to settle army accounts, **17**. 262, 263.
Thomas, Ald., in assem., **20**. 398.
Thomas, Alex., pensioner, **22**. 88.
Thomas, Amos, army pay, **17**. 152.
army rank, **16**. 1173.
Thomas, Amos, army rank, **16**. 1173.
Thomas, Anne, petition, **2**. 698-699.
Thomas, Asa, army pay, **17**. 252.
in army, **13**. 507.
Thomas, Ashia, army rank, **16**. 1170.
Thomas, Benj., army rank, **16**. 1172.
Thomas, Benj., takes oath, **22**. 176.
Thomas, Caleb, army rank, **16**. 1172.
in army, **15**. 718.
reënlists, **15**. 749.
Thomas, Charles, suit over a whale, **1**. 419.
Thomas, Daniel, army pay, **17**. 263.
Thomas, Demcey, in militia, **22**. 318.
Thomas, Ed., in militia, **22**. 376.
Thomas, Ed., in militia, **22**. 379.
Thomas, Sir Edmund, at Board of Trade meetings, **6**. 748-755.
instructions on S. C. boundary, **11**. 152-153.
recommends disallowance of vestry and clergy acts, **6**. 720-723; repeal of laws, **6**. 700-701.
to Dobbs on public affairs, **6**. 724-728.
to King on docking of entails, **6**. 972-973; on grants of Indian lands and commissions of judges, **6**. 582-586; on instructions to Dobbs, **6**. 558-561.
Thomas, Edward, asks pardon for Fruit, **9**. 93-94.
Thomas, Elisha, a J. P., **23**. 994.
Thomas, Eneas, act for land to, **24**. 629-30.
land grant to, **19**. 573.
Thomas, Evan, land grant to, **4**. 217.
Thomas, Fran., in militia, **22**. 280.
Thomas, Francis, land grant to, **4**. 219.
rights proved, **4**. 705.
Thomas, George, land grant to, **4**. 334, 711.
Thomas, George, petitions for McDugal, **9**. 683-685.
Thomas, Geo., road coms'r, **25**. 481.
Thomas, Isaac, acts as pilot for Va. troops, **10**. 883.
deposition on hostile intentions of Cherokees, **10**. 665.
messenger, **10**. 901; to settlers, **10**. 769, 770, 772, 773, 776, 781, 782.
reports on movements against Cherokees, **10**. 782.
Thomas, Isaac, petition on separation, **22**. 705-12.
Thomas, J. M., Baptist preacher, **5**. 1186.
Thomas, Jacob, **8**. 743.
Thomas, James, army rank, **16**. 1173.
Thomas, James, asks pardon for Fruit, **9**. 93-94.
Thomas, James, exempted, **7**. 963.
Thomas, Jas., in militia, **22**. 360.
Thomas, James, in militia, **22**. 419.
Thomas, James, land grant to, **4**. 965, 1049.
Thomas, James, loyalist, **10**. 603.
Thomas, James, road coms'r, **23**. 222.
Thomas, James, shipmaster, **9**. 409, 512, 521.
Thomas, James H., prisoner, **15**. 392.
Thomas, Jeremiah, army pay, **17**. 252.
army rank, **16**. 1173.
Thomas, John, a J. P., **4**. 966, 1243.
Thomas, John, a J. P., **6**. 799.
Thomas, John, a J. P., **8**. 149.
Thomas, John, a J. P., **23**. 993.
Thomas, John, act for land to, **24**. 629-30.
land grant to, **19**. 572.
Thomas, Jno., army rank, **16**. 1168.
Thomas, Jno., army rank, **16**. 1170.
Thomas, Jno., army rank, **16**. 1175.
Thomas, John, asks for new county, **9**. 89.
Thomas, John, Baptist minister, **5**. 1176, 1178.

Thomas, John, Baptist minister, **5.** 1178.
Thomas, John, captain, **6.** 1025.
Thomas, John, ensign, **10.** 945.
Thomas, John, imported, **1.** 393, 394.
Thomas, John, land lapses, **2.** 426, 525, 575.
law suit, **2.** 110.
Thomas, John, in army, **13.** 512.
Thomas, John, in army, **13.** 518.
Thomas, Jno., in militia, **22.** 321.
Thomas, Jno., in militia, **22.** 365.
Thomas, Jno., in militia, **22.** 385.
Thomas, John, juror, **4.** 517.
Thomas, John, killed, **20.** 722.
Thomas, John, land grant to, **4.** 588, 642.
rights proved, **4.** 640.
Thomas, John, pensioner, **22.** 88.
Thomas, John, petition on C. H., **9.** 806-807.
Thomas, John, petitions on land grants, **9.** 1260-2; **11.** 250-2.
Thomas, John, quit rents of, **22.** 243.
Thomas, John, regulator, **8.** 79.
Thomas, John, regulator, **8.** 80.
Thomas, Jonathan, in militia, **22.** 348.
Thomas, Jonathan, witness, **2.** 56.
Thomas, Jonathan, Baptist minister, **5.** 1176, 1178.
Thomas, Jos., clothing to, **14.** 715.
returns by ment'd, **14.** 443.
Thomas, Jos., in militia, **22.** 342.
Thomas, Jos., killed, **18.** 609.
Thomas, Joseph, land grant to, **4.** 643.
rights proved, **4.** 644.
Thomas, Joshua, act for land to, **24.** 630.
land grant to, **19.** 573.
Thomas, Josiah, land grant to, **4.** 350, 1034.
Thomas, Lars, juror, **2.** 398.
Thomas, Lazarus, a J. P., **3.** 256.
asks for lapse patent, **2.** 426.
juror, **2.** 358.
Thomas, Lemuel, **15.** 674; **19.** 884, 894.
army rank, **16.** 1168.
for clothing, **15.** 494.
commands wagon, **15.** 664.
wagons sent by, **16.** 507.
Thomas, Lewis, in militia, **22.** 375.
Thomas, Lewis, levy free, **2.** 611.
Thomas, Louis, witness, **2.** 105.
Thomas, M., moderator, **5.** 1182.
Thomas, Matthew, a J. P., **23.** 993.
boundary and co. coms'r, **24.** 228, 229, 449.
Thomas, Micajah, a J. P., **6.** 340.
court to be held at house of, **24.** 139.
in assembly, **8.** 98, 107, 120, 121, 146, 303, 409, 413; **9.** 138; **16.** 2, 49, 127, 165, 167, 169; **17.** 265, 266, 293, 304, 351, 359; **19.** 35, 122, 149, 207, 234, 244, 262, 264, 282, 286, 295, 299, 334, 338, 390, 394, 490, 505, 506, 613, 622, 643, 667, 671, 675, 677, 682, 688, 689, 718; **20.** 120, 121, 124, 167, 179, 238, 239, 240, 246, 306.
J. P.'s to meet at house of, **12.** 435.
memorial as executor, **20.** 227, 231, 262, 420, 440-441, 445.
on com. of assem., **16.** 57, 61; **17.** 268, 269, 314, 337.
petitions for Wheatfield, **16.** 660.
Thomas, Morgan, imported, **1.** 395.
Thomas, Nan., killed, **20.** 722.
Thomas, Owen, baptizes Palmer, **5.** 1164.
Thomas, Peter, in militia, **22.** 391.
Thomas, Philip, army pay, **17.** 252.
army rank, **16.** 1170.
Thomas, Phil., army rank, **16.** 1173.
Thomas, Philip, army rank, **16.** 1174.
Thomas, Philip, calls witnesses, **1.** 401.
Thomas, Philip, land grant to, **4.** 627.
Thomas, Philip, pensioner, **19.** 133, 134, 244.
resolve in favor of, **19.** 440, 443, 477, 478, 483, 485, 778, 826, 827.
Thomas, Philip, quit rents of, **22.** 243.
Thomas, Phill., juror, **4.** 522.
Thomas, Phillip, in militia, **22.** 332.
Thomas, Richard, army pay, **17.** 252.
army rank, **16.** 1170.
officer, **18.** 450, 459.
resigns as lieut., **20.** 657.
prisoner, **14.** 710.
Thomas, Rob't, a J. P., **23.** 992.
building coms'r, **24.** 288.
Thomas, Robt., in militia, **22.** 360.
Thomas, Robert, juror, **4.** 517.
Thomas, Robert, petitions on land grants, **9.** 1260-1262; **11.** 250-252.
Thomas, Samps., regulator, **7.** 809.
Thomas, Samuel, **11.** 168.
Thomas, Saml., army rank, **16.** 1173.
in army, **15.** 731.
Thomas, Samuel, interpreter to Creeks, **10.** 329.
Thomas, Samuel, land grant to, **4.** 642, 892.
Thomas, Samuel, takes horse to Sumner, **15.** 448.

Thomas, Samuel, vestryman, **23**. 499.
Thomas, Samuell, juror, **4**. 521.
Thomas, Stephn., army rank, **16**. 1174.
Thomas, Theophilus, money from, **21**. 1064.
owes State, **21**. 1074.
Thomas, Tom., army pay, **17**. 252.
Thomas, Thos., army pay, **17**. 263.
army rank, **16**. 1170.
Thomas, Thos., army rank, **16**. 1173.
Thomas, Thomas, asks pardon for Fruit, **9**. 93-94.
Thomas, Thomas, bill to vest title in, **21**. 300, 307, 648.
Thomas, Thomas, exempted, **9**. 476.
Thomas, Thos., in army, **13**. 506.
Thomas, Thos., in militia, **15**. 399.
Thomas, Turnbull, a J. P., **4**. 1243.
Thomas, W., paroled, **19**. 153.
Thomas, W. H., **10**. 713.
Thomas, Wm., army pay, **17**. 254.
army rank, **16**. 1172.
Thomas, Wm., army rank, **16**. 1173.
Thomas, Wm., arrests Cotton, **10**. 128.
Thomas, Wm., asks pardon for Hamilton, **9**. 39, 84-85; for Hunter, **9**. 85.
Thomas, Wm., criminal, **22**. 831, 834.
Thomas, Wm., imported, **1**. 568.
Thomas, Wm., in army, **13**. 519.
Thomas, Wm., in militia, **22**. 284.
Thomas, Wm., in militia, **22**. 377.
Thomas, Wm., in militia, **22**. 378.
Thomas, Wm., in Prov. Cong., **9**. 1033, 1042, 1049; **10**. 164.
on Anson S. C., **10**. 128.
on com. of cor. of Anson, **9**. 1033.
Thomas, Wm., land grant to, **4**. 642, 684, 1238.
Thomas, Wm., pensioner, **22**. 88.
Thomas, Wm., protection to, **14**. 523.
Thomas, Wm., quit rents of, **22**. 243.
Thomas, Wm., school trustee, **24**. 979.
Thomas, Zekel, regulator, **7**. 737.
Thomason. See Thompson, etc.
Thomason, Geo., pensioner, **22**. 87.
Thomason, Geo., pensioner, **22**. 88.
Thomason, Jno., army rank, **16**. 1196.
Thomason, Jno., in militia, **22**. 375.
Thomason, John, in militia, **22**. 416.
Thomason, Wm., on Tryon S. C., **10**. 120, 247.
Thomasson, Jno., in militia, **22**. 365.
Thomaston, Chas., army rank, **16**. 1174.
Thomasville, **8**. 742.
Thomison. See Thompson, etc.
Thomison, John, in army, **15**. 735.
Thomison, Samuel, witness, **10**. 986.
Thomlinson. See Tomlinson.
Thomlinson, John, attends Board of Trade, **4**. 437.
Thompkins, Jordan, army rank, **16**. 1173.
Thompkins, John, land grant to, **4**. 332.
Thompkins, Thomas, land grant to, **4**. 952, 1240.
town coms'r and treasurer, **25**. 272.
Thompson. See Thomason, Thomison, Thomson, Tompson, Tomson.
Thompson, ——, **22**. 213-4.
Thompson, Mr., prisoner, **15**. 536.
Thompson, Capt., **22**. 336.
Thompson, Capt., movements, **19**. 969, 975, 990.
roster of co., **16**. 1009, 1025, 1039, 1049, 1055, 1062, 1088, 1108, 1128, 1142, 1152, 1180.
Thompson, Capt., to treat with regulators, **7**. 710.
Thompson, Col., **10**. 14; **22**. 443.
expedition against Scovilites, **10**. 340-341.
goes against tories, **19**. 975.
in regulation campaign, **19**. 837, 838, 841.
orders to, **14**. 805.
pays for boat and would supply clothing, **13**. 327.
recommended for paymaster, **13**. 172.
repulses British, **10**. 618*a*, 618*c*, 618*d*.
salt stored with, **13**. 217.
Thompson, Col. (S. C.), movements, **15**. 368.
Thompson, Gen., a prisoner, **10**. 616.
Thompson, Maj., field officer, **12**. 516, 538.
on guard, **12**. 529.
Thompson, Rev. Mr., work of, **5**. 1213.
Thompson, Alexander, asks for new county, **9**. 92.
Thompson, Amos, missionary, **5**. 1217.
Thompson, Amos, negroes of carried off, **16**. 78.
Thompson, Andrew, juror, **4**. 522.
in assembly, **6**. 351, 362, 377, 427, 470, 514.
Thompson, Ann, claims land, **4**. 330.
Thompson (Thomson), Baalam, **22**. 217.
a J. P., **9**. 1169; **23**. 993.
interviews Fanning, **16**. 206.
land of should be bought, **10**. 994-995; to be bought, **11**. 387.

resolve in favor of, **12**. 164, 329, 332; of returning land to him, **12**. 807, 868, 869-870.
to show iron works, **13**. 502.
Thompson, Benj., in militia, **22**. 453.
Thompson, Benj., in militia, **22**. 495.
Thompson, Benj., land grant to, **4**. 641, 768.
rights proved, **4**. 640.
Thompson, Benjamin, protests against regulators, **8**. 273-275.
Thompson, Charles, a J. P., **13**. 995.
army rank, **16**. 1173.
in Davidson's co., **14**. 294.
pensioner, **22**. 88.
Thompson, Dr. Cyrus, finds assembly journal, **18**. 803.
Thompson, Danl., army rank, **16**. 1169.
in army, **15**. 720.
Thompson, Daniel, on regulation of Cross Creek, **15**. 209-211.
Thompson, David, a J. P., **6**. 80.
Thompson, David, co. coms'r, **23**. 779.
Thompson, David, examined by S. Conv. and released, **10**. 363.
Thompson, David, vote of refused, **13**. 929.
Thompson, Edward, army pay, **17**. 253.
army rank, **16**. 1171.
Thompson, G. M., Baptist minister, **5**. 1180.
Thompson, Geo., army rank, **16**. 1174.
Thompson, Geo., in militia, **22**. 164.
Thompson, George, settler, **1**. 76.
Thompson, Geo., takes oath, **22**. 179.
Thompson, Goodin, army rank, **16**. 1170.
Thompson, Henry, allowance to, **20**. 255, 258, 439.
Thompson, Henry, asks for new county, **9**. 92.
Thompson, Henry, petitions on county bounds, **9**. 633-5.
Thompson, Hugh, a J. P., **22**. 918.
Thompson, Isaac, pensioner, **22**. 88.
Thompson, J., army pay, **17**. 252.
Thompson, J. C., sec'y of Cont. Cong., **9**. 1246.
See also Charles Thomson.
Thompson, Jacob, land grant to, **4**. 964.
Thompson, James, a J. P., **3**. 417.
binds out free negroes, **3**. 556-557, 585.
Thompson, James, act for land to, **24**. 629-30.
land grant to, **19**. 572.
Thompson, James, claim allowed, **18**. 318.
no allowance to, **22**. 879.
Thompson, James, deposition, **7**. 779.
Thompson, James, doctor, **25**. 466.
Thompson, James, ensign, **10**. 937.
Thompson, James, in militia, **17**. 1042.
Thompson, James, in assembly, **21**. 194, 197, 234, 264, 288, 319, 433, 872, 873, 930, 937, 941, 965, 970, 999, 1003, 1012, 1015, 1021, 1032, 1050, 1051, 1055.
in conv. 1789, **22**. 38, 46, 49.
Thompson, James, land grants to, **4**. 65, 594, 1040.
Thompson, James, pensioner, **22**. 88.
Thompson, James, petitions on county bounds, **9**. 633-635.
Thompson, James, receives pay for soldiers, **17**. 217, 222, 239.
Thompson, Jarrell, pensioner, **22**. 87.
Thompson, Jennings, in militia, **22**. 373.
Thompson, Jese, army rank, **16**. 1174.
Thompson, Job, no land grant to, **6**. 632.
Thompson, John, a J. P., **9**. 1027, 1169.
accounts proved before, **7**. 869.
bond of to export staves, **11**. 331-332.
in conv. 1789, **22**. 37, 47, 48.
in Prov. Cong., **10**. 165, 167, 173, 500, 502, 523.
on S. C. of Hillsboro Dist., **10**. 215.
on com. Prov. Cong., **10**. 504.
to inventory loyalists' property, **10**. 554, 949.
Thompson, John, allowance to, **22**. 821.
Thompson, John, army pay, **17**. 254.
Thompson, John, army pay, **17**. 263.
Thompson, Jno., army rank, **16**. 1169.
Thompson, Jno., army rank, **16**. 1169.
Thompson, Jno., army rank, **16**. 1174.
Thompson, Jno., army rank, **16**. 1175.
Thompson, Jno., army rank, **16**. 1175.
Thompson, John, in militia, **17**. 1042.
Thompson, Jno., in militia, **22**. 326.
Thompson, Jno., in militia, **22**. 494.
Thompson, John, land grants to, **4**. 1047.
Thompson, John, negro of sent to iron works, **10**. 927.
Thompson, John, on claims com., **22**. 830.
Thompson, John, pardoned, **19**. 245-246, 247.

Thompson, John, pays Va. draft, **14.** 700, 701.
Thompson, Jno., petitions, **19.** 932.
Thompson, John, petitions on land grants, **9.** 1260-1263.
Thompson, John, petitions on land grants, **9.** 1260-1263; **11.** 250-254.
Thompson, Jno., property confiscated, **19.** 672; **24.** 263, 424.
Thompson, John, regulator, **8.** 80.
Thompson, Johos, petitions, **19.** 932.
Thompson, Joseph, guard for, **10.** 830.
in Indian war, **10.** 753.
Thompson, Jos., in militia, **22.** 328.
Thompson, Joshua, petitions Burke for pardon and recommendation, **16.** 276-277.
Thompson, L., army pay, **17.** 252.
Thompson, Lawrence, a J. P., **5.** 813.
act for him to collect taxes, **23.** 505; **25.** 397-8.
bill to enable him to collect tax, **6.** 126, 127, 128, 129, 157, 159, 160, 162, 163, 171, 184, 200.
debts due by, **8.** 280-281; as sheriff, **9.** 573.
no allowance to, **22.** 821.
road coms'r, **25.** 330.
Thompson, Lawrence, a J. P., **23.** 995.
army rank, **16.** 1168.
army record, **13.** 474.
captain, **13.** 476.
does not qualify for militia, **22.** 335.
lieut., **10.** 187.
pay roll of company, **22.** 452-3.
recommended for lt. col., **22.** 336.
Thompson, Lem'l, receipts for rations, **22.** 468.
Thompson, Margaret, murdered, **22.** 865.
Thompson, Martha, petition, **16.** 61, 63, 78-79, 81.
Thompson, Martha, petition, **19.** 35, 36, 48.
Thompson, Moses, petition against marriage act, **9.** 623-624.
Thompson, Moses, suit brought against, **10.** 433.
Thompson, Nath., in militia, **22.** 451.
Thompson, Nathan, army pay, **17.** 252.
in army, **15.** 722.
Thompson, Nathl., army rank, **16.** 1172.
Thompson, Nicholas, army pay, **17.** 252.
army rank, **16.** 1174.
Thompson, Richard, gun stocker, **15.** 619.
Thompson, Richd., in militia, **22.** 264.
Thompson, Richd., in militia, **22.** 265.
Thompson, Rich., in militia, **22.** 267.
regulators' entry on cause of, **8.** 236.
Thompson, Robert, killed in Alamance battle, **8.** 723.
Thompson, Robert, land grant to, **4.** 853, 959.
Thompson, Robert, shoemaker, **15.** 620.
Thompson, Robert, Sevier to on settlements among Chickasaws, **22.** 703.
Thompson, Samuel, army pay, **17.** 252.
army rank, **16.** 1174.
asks for new county, **9.** 92.
Thompson, Sam'l, in militia, **22.** 373.
Thompson, Sam'l, in militia, **22.** 396.
Thompson, Sam'l, in militia, **22.** 397.
Thompson, Sam'l, in militia, **22.** 452.
Thompson, Samuel, lieut., **10.** 518.
pensioner, **22.** 88.
release of asked, **15.** 490.
resigns as lieut., **10.** 620.
Thompson (Thomson), Shem, building coms'r, **24.** 289.
in assem., **19.** 384.
Thompson, Swan, militiaman, **9.** 344, 689.
Thompson, Thos., **7.** 774.
Thompson, Thos., army pay, **17.** 254.
Thompson, Thomas, claim allowed, **5.** 979.
land grant to, **4.** 595.
Thompson, Thos., petition on separation, **22.** 705-8.
Thompson, Thos., prisoner, **16.** 483.
Thompson, Uriah, army rank, **16.** 1173.
Thompson, Wm., a J. P., **4.** 1039.
Thompson, Wm., a J. P., **23.** 993.
Thompson, Wm., army pay, **17.** 252.
Thompson, Wm., army pay, **17.** 252.
Thompson, Wm., army rank, **16.** 1172.
Thompson, Wm., army rank, **16.** 1173.
Thompson, Wm., army rank, **16.** 1175.
Thompson, Wm., army rank, **16.** 1175.
Thompson (Thomson), Wm., accounts ment'd, **13.** 734*n*.
aids Richardson against tories, **15.** 179.
asks representative for Beaufort, **9.** 640-1.
brigadier gen., **10.** 483.
colonel, **9.** 298; **10.** 206, 530; **22.** 152, 457; against regulators, **8.** 576,

579, 585, 588, 591, 595, 597, 599, 704, 710.
coms'r on fort, **24**. 174; on navigation, **24**. 505; on town, **23**. 805.
helps suppress tories in S. C., **11**. 264.
in assem., **8**. 97, 106, 107, 110, 121, 129, 133, 145, 301, 303, 318, 319, 326, 334, 344, 348, 355, 357, 390, 391, 406, 408, 409, 416, 417, 418, 422, 444, 454; **9**. 136, 154, 193, 197, 198, 199, 212, 223, 386, 396, 398, 412, 440, 447, 449, 459, 466, 476, 492, 498, 525, 588, 713, 715, 734, 735, 748, 752, 837, 874, 884, 902, 903, 926, 930, 951, 1188, 1189; **12**. 549, 562, 573, 594, 633; **13**. 532, 533, 553, 585, 624, 735, 744, 753.
in Prov. Congress, **9**. 1042, 1049, 1178, 1180, 1181; **10**. 165, 500, 501, 523, 536.
money to, **22**. 939, 943.
on com. of assem., **8**. 90, 110, 111, 288, 308, 309; **9**. 105, 141, 151, 381, 450, 451, 740; **12**. 552, 553, 563, 578, 586, 587, 659, 669, 691, 695; **13**. 384, 536, 562, 632.
on com. Prov. Cong., **10**. 509, 522, 524.
on Newbern Dist. S. Com., **10**. 215, 459, 462, 463.
ordered to march against regulators, **8**. 710; to march troops to Newbern, **8**. 704.
presd't court martial, **8**. 589.
receipts for pension money, **22**. 460.
reports on Spanish ship, **9**. 33, 35.
return of co., **22**. 427-8.
salt coms'r, **22**. 740.
takes depositions on illegal fees in Orange Co., **7**. 773, 774, 775, 776, 777, 778, 779, 782.
to build salt works, **10**. 538-539.
Tryon to on calling out militia for defense of legislature, **8**. 690.
warrant to, **8**. 706, 718.
Thompson, Wm., exempted, **7**. 371.
Thompson, Wm., in army, **15**. 722.
Thompson, Wm., in militia, **22**. 385.
Thompson, Wm., juror, **2**. 262, 263.
Thompson, Wm., juror, **8**. 528.
Thompson, Wm., owes State, **21**. 1067.
Thompson, Wm., pensioner, **22**. 88.
Thompson, Wm., pensioner, **22**. 88.
Thompson, Wm., quit rents of, **22**. 257.
Thompson, Willis, army rank, **13**. 507; **16**. 1172.
Thompson, Willoby, army pay, **17**. 253.
army rank, **15**. 722; **16**. 1172; **18**. 797.
Thompson and Owen, 20. 403, 404.
Thompson Resolves, 22. 946.
Thompson's, Col., 15. 665; **19**. 884.
Thompson's Creek, 14. 529, 533.
Thompson's Creek Camp, 14. 522, 525.
Thompson's Fort, 22. 111.
Thompson's House, 17. 1001.
Thomson. See Thompson, etc.
Thomson, Capt., 4. 18.
Thomson, Capt., to raise men against regulators, **7**. 707.
Thomson, Col., hires wagons for Cherokee goods, **17**. 558-559, 568.
Thomson, Alex., act for land to, **24**. 629-30.
land grant to, **19**. 572.
Thomson, Andw., army rank, **16**. 1171.
Thomson, Andrew, act for land to, **24**. 629-30.
land grant to, **19**. 572.
Thomson, Andrew, taxable, **15**. 192.
Thomson, And., voter, **15**. 238.
Thomson, Bartholomew, pensioner, **22**. 88.
Thomson, Benj., Jr., in militia, **22**. 377.
Thomson (Thompson), Charles (sec. C. C.), **9**. 124(?).
Caswell to on affairs of C. C., **18**. 745-746; on laws, **17**. 509; on public affairs and answers, **17**. 484-485, 486, 495-497, 499, 507-508, 511-514, 515, 516, 520, 537, 542-543, 563, 565, 568-569, 576-577.
Jay to on representation in C. C., **17**. 577.
Lee to on consuls, **17**. 481-482.
Martin to on commissions of privateers, **16**. 402-403.
N. Y. Congress to on White's letter, **10**. 74-75.
secy. of Cont. Cong., **10**. 83, 740, 791, 873, 890; **11**. 291, 292, 666, 755, 796; **13**. 37, 486, 499; **14**. 242, 243, 254, 260, 269, 273, 298, 307, 326, 343, 500, 796, 852; **15**. 165, 200, 387, 646, 670, 711; **16**. 202, 307, 328, 329, 357, 393, 409, 412, 413, 415, 424, 426, 430, 444, 454, 651, 743, 772, 784, 785, 786, 832, 875, 881, 900, 907, 917; **17**. 17, 30, 34, 63, 74, 77, 114, 123, 162, 164, 180, 431, 432, 438, 450, 458, 459, 493,

506, 511, 532, 544, 598, 599, 600, 601, 605; **18**. 492, 517, 534, 547, 558, 560, 620, 651, 652, 707, 713, 714, 715, 716, 760, 767, 785; **19**. 710, 889; **20**. 734, 746; **22**. 530, 696, 719.
sends laws to N. C. from C. C., **22**. 991.
to and from Caswell on affairs of C. C., &c., **18**. 487, 489-490, 496-502, 508, 517-518, 521-522, 527-528, 537, 543-547, 548, 550-552, 556-558, 573, 590, 599, 639-641, 643, 649, 662, 665-671, 676, 708-709, 716-717, 720, 725-26, 742-743, 753-755, 756, 762, 764, 768-769, 794.
to and from Johnston on affairs of C. C. and answers, **21**. 441, 447, 453-454, 457-458, 468, 472, 474, 477, 478, 479, 482, 483, 493, 494, 495-496, 499, 500, 503-504, 506.
to Caswell on aid to S. C., **14**. 336; on claims against U. S., **17**. 431-432; on exchange of public documents, **14**. 227-228, 235; on Indian treaty, **17**. 434; on public affairs and answer, **17**. 460-461, 463-464, 467, 581, 589-590; **20**. 608-609, 614-615, 631-632, 649-652, 655, 661-663, 684-686, 718, 732, 750-752, 755, 756, 771, 774, 783.
to Martin on public affairs, **17**. 555, 604-605; on removal of C. C., **17**. 93; transmitting resolutions, proclamations, &c., **17**. 2, 3.
Thomson (Johnson?), Charles, resigns as capt. **21**. 540-541.
Thomson, Daniel, in militia, **17**. 1061.
Thomson, David, petitions on roads and ferries, **5**. 164-166.
Thomson, Elisha, regulator, **8**. 80.
Thomson, Henry, boundary coms'r, **24**. 472.
Thomson, James, claim, **9**. 487, 488.
Thomson, Jas., quit rents of, **22**. 245.
Thomson, James H., offers prayer among prisoners, **15**. 394.
Thomson, John, a J. P., **23**. 993.
Thomson, John, bill for goods, **22**. 432.
Thomson, John, discharges Bolin, **16**. 482.
Thomson, Jno., in militia, **22**. 377.
Thomson, John, sentenced for treason, **16**. 777.
Thomson, John, town trustee, **25**. 487.
Thomson, John, work as missionary, **5**. 1215.
Thomson, Ned, soldier, **18**. 797.
Thomson, Robert, act for land to, **24**. 630.
land grant to, **19**. 573.
Thomson, Samuel, claim, **9**. 488.
Thomson, Thos., army rank, **16**. 1172.
Thomson, Thomas, claim, **9**. 489, 527.
Thomson, Thomas, petition against marriage act, **9**. 623-624.
Thomson, Wm., signs Tryon Asso'n, **10**. 162-163.
to furnish wagons, **17**. 537.
Thomson, Wm., in army, **13**. 510.
Thomson, Wm., juror, **25**. 185.
Thomson, Wm., recommends McCartney, **9**. 61-62.
Thomson, Wm., regulator, **8**. 78.
Thomson's Creek, 16. 267, 268.
Thonton. See Thornton.
Thonton, Samuel, land grant to, **4**. 594.
Thorgood. See Thorogood, etc.
Thorgood, F., army pay, **17**. 252.
Thorksey, John, juror, **4**. 519.
Thorksey, Thomas, juror, **4**. 519.
Thorkskey, Robert, juror, **4**. 519.
Thorle, Edmund, in militia, **22**. 338.
Thorn, Merriman, army pay, **17**. 252.
Thorn, Robert, regulator, **7**. 809.
Thornal, John, army pay, **17**. 253.
Thornborough, Capt., 10. 327.
commands Br. ships in S. C., **10**. 407.
Thornbrough, Capt., 11. 260, 261, 266.
Thornburgh, Thomas, petition on C. H., **9**. 806-808.
Thornburgh, Wm., a Proprietor, **1**. 520.
act of C. sent to, and opinions on, **1**. 539.
acts as Proprietor for J. Colleton, **1**. 390, 392, 471, 520.
explains how gov. of C. holds office, **1**. 510.
on enforcement of trade laws by P., **1**. 477.
signs new set of Fundamental Constitutions, **2**. 852-858, 897.
Thornbury, Edward, troublesome in Barbadoes, **1**. 177.
Thorneburgh, Edward, settler, **1**. 76.
Thornhill, Benj., army rank, **16**. 1174.
Thornsbury, Wm., on regulation com., **10**. 1019.
Thornton. See Thirnton, Thonton.
Thornton, Mr., in assembly, **12**. 736.
Thornton, Abraham, regulator, **7**. 735.
Thornton, David, regulator, **7**. 734.
Thornton, Francis, land grant to, **4**. 62.

land lapses, **2**. 678.
Thornton, George, **9**. 1235.
Thornton, Henry, in militia, **22**. 377.
Thornton, James, a J. P., **5**. 828.
Thornton, John, allowance to as executor, **22**. 857.
Thornton, John, collector, **23**. 373.
Thornton, Jno., in militia, **22**. 376.
Thornton, John, land grant to, **4**. 764.
Thornton, Mary, discharged by court, **2**. 601.
indictment ignored, **2**. 646-647.
Thornton, Roger, in militia, **22**. 377.
Thornton, Samuel, land dispute continued, **5**. 812, 813.
land warrant to, **5**. 818.
Thornton, Thos., **2**. 808.
Thornton, Thos., building coms'r, **24**. 643.
Thornton, Thomas, regulator, **7**. 734.
Thornton, Wm., town coms'r, **25**. 112.
Thorntown, Thomas, regulator, **7**. 735.
Thorogood. See Thorgood, Thoroughgood, Thorrogood, etc.
Thorogood, Francis, army rank, **13**. 524; **16**. 1168.
Thoroughfare, The, **23**. 417.
Thoroughgood, Geo., captain, **17**. 966.
Thorowgood, Rob't, a justice, **1**. 516.
Thorp. See Tharp, Tharpe.
Thorp, Rich'd, in militia, **22**. 283.
Thorp, Sam., in militia, **22**. 286.
Thorp, Sam'l, in militia, **22**. 387.
Thorpe, Mr., owns lands in S. C., **4**. 259.
Thorpe, James, settler, **1**. 76.
Thorpe, James, settler, **1**. 76.
Thorpper, George, petition on catching fish, **9**. 87-88.
Thorrogood. See Thorogood, etc.
Thorrogood, Asa, in militia, **22**. 347.
Thorrogood, Hennery, in militia, **22**. 347.
Thorrowgood, Mr., made prisoner by Br., **15**. 130.
Thorsbury, Edward, on regulation com., **10**. 1019.
Thougulskie, Indian, **11**. 194.
Thow, Thos., army rank, **16**. 1168.
Thrash, Benj., meal to, **22**. 468.
Thrash, Valentine, pensioner, **22**. 88.
Thrasher, Elizabeth, recommended, **19**. 482.
Thrasher, Isaac, released, **14**. 422-423.
Thrasher, Rober, in militia, **22**. 418.
Threadgill. See Thereadgill, Thredgill.
Threadgill, John, pensioner, **22**. 88.
Threadgill, Wm., owes State, **21**. 1068.
Threadgill, Wm., resigns as J. P., **21**. 49, 54.
Threadneedle St., London, **6**. 563.
Threat, Fredk., army rank, **16**. 1119.
Thredgill. See Threadgill, etc.
Thredgill, Wm., regulator, **8**. 79.
Three Cornered Island, **24**. 28.
Three Creeks, **9**. 414, 527; **22**. 878.
petition from, **18**. 98, 102, 334.
Three Creeks (Third Creek?), people on ask for new county, **9**. 91.
Three Fork Baptist Asso'n, history, **5**. 1185, 1189-1190.
Three Forks Church, **5**. 1190.
Three Forks of Muddy Creek, **5**. 13.
Threel, Frederick, army pay, **17**. 252.
Thrift, Abraham, army pay, **17**. 253.
army rank, **15**. 729; **16**. 1172.
Thrift, Miles, army pay, **17**. 254.
army rank, **15**. 720; **16**. 1168.
Thrift, Solomon, army pay, **17**. 253.
army rank, **16**. 1172.
Thrift, Wm., in Indian war, **10**. 754.
Throgmorton, John, owes State, **21**. 1070.
Throgmorton, M., **14**. 739.
Thulemier, Fred'k Wm. de, representative of Prussia, **18**. 610, 620.
Thunder Bomb, sloop, **10**. 364.
Thuraskumastoby, signs Indian treaty, **11**. 203.
Thurloe's State Papers, quoted, **1**. 18-19.
Thurnell, Jno., army rank, **16**. 1170.
Thurrell, Abm., army rank, **16**. 1171.
Thursnell, John, in army, **15**. 733.
Thursten, John, imported, **1**. 576.
Thurston, Jacob, **18**. 571.
Thurston, Latham, **18**. 571, 572.
Thurston, Sam'l J., **18**. 571.
Thurston, Wm., army pay, **17**. 252.
army rank, **16**. 1169.
Thurston, Wm., army rank, **16**. 1175.
Thurston, Wm., in army, **13**. 521.
Thurston, Debro, witness, **1**. 549.
Thyatira (Thyatria) Church, **5**. 1208, 1220, 1225.
Thynne, W., Dartmouth on proposal of to Martin, **9**. 683.
on N. C. post law, **9**. 259-260.
proposes that Martin become Granville's agent, **9**. 643, 644.
Ti. See Ty.
Tiack. See Tyack.
Tiack, Thos., in army, **13**. 515.

Tiberius, **7**. 519.
Tice. See Tyce.
Tice, Cor., juror, **25**. 190.
Tice, Henry, army pay, **17**. 253.
army rank, **16**. 1174.
Tice, James, army pay, **17**. 252.
army rank, **16**. 1174.
Tice, Thos., army rank, **16**. 1174.
Tice, Thomas, juror, **4**. 524.
Tick Creek, **9**. 174; **15**. 434.
iron furnace on, **10**. 647, 992.
Ticonderoga, N. Y., **11**. 736.
army at, **10**. 850.
besieged by Americans, **11**. 639, 642.
Burgoyne to retreat to, **11**. 626, 654.
captured, **10**. 56, 80.
Carleton retreats from, **10**. 904.
defenceless, **11**. 462.
effects of capture, **9**. 1280.
evacuated, **11**. 529, 570, 667; by British, **11**. 814.
fort built at, **5**. xxviii.
to be attacked, **22**. 971, 972.
Gates at, **10**. 891.
lost by Americans, **11**. 748.
N. C. troops for, **11**. 383.
threatened, **10**. 866.
Tidcombe, Samuel, settler, **1**. 76.
Tiddell, Chas., petitions for Tyson, **16**. 580-581.
Tiel, Jesse, army pay, **17**. 253.
Tiersch, Rev. Paul, associated with Graff, **5**. 1152.
dies, **5**. 1153.
Tiffen, Thos., in army, **13**. 513.
receives clothing, **16**. 619.
Tiffin, Thos., army pay, **17**. 252.
army rank, **16**. 1168.
Tiffin, Thos., army rank, **16**. 1174.
Tiffin, Thos., in militia, **22**. 422.
Tiftoe, signs Cherokee treaty, **7**. 855; **11**. 203.
Tiftoi (Tiftoe), Indian, **11**. 199.
Tiger (Tyger), The, prisoners sent to England in, **1**. 800.
Tiger River, S. C. See Tyger River.
Tilassi, **17**. 586.
Tiler. See Tiller, Tyler.
Tiler, Jonnathan, in militia, **22**. 285.
Tiler, Moses, land grant to, **4**. 853, 854.
Tiler, Thos., in militia, **22**. 285.
Tilerson, Plunket, takes depositions, **15**. 42, 43.
Tilghman. See Tillghman.
Tilghman, Jno., gun impressed, **22**. 414.
Tilghman (Tillman), John, in Prov. Cong., **10**. 913, 915, 960.
memorial, **20**. 74, 77.
on S. C. of Pitt, **10**. 62.
resigns from militia, **20**. 590-591.
Tilghman, Mat., **9**. 1234.
Tilghman, Wm., army pay, **17**. 252.
Tillaw, Emperor of, headman, **5**. 321.
Tiller. See Tiler, Tyler.
Tiller, Mosses, in militia, **22**. 330.
Tiller, Thos., army rank, **16**. 1174.
Tillery. See Tillory.
Tillery, Mr., **15**. 345, 346, 352.
assists in Long's business, **16**. 225.
has flints, **15**. 472.
Q. M., **15**. 316.
steel to, **15**. 476.
to furnish provisions, **14**. 484.
Tillery, J., to Sumner on jail, **15**. 474.
Tillery, John, **15**. 494.
Tillery, Jno., army rank, **16**. 1169.
escort to, **19**. 869.
sent to Nash for money, **14**. 866.
Tillery, John, pilot, **15**. 628.
Tillet, Avery, army rank, **13**. 510; **16**. 1170.
Tillet, Benj., in militia, **22**. 496.
Tillet, Isaac, in militia, **22**. 496.
Tillet, John, in militia, **22**. 496.
Tillet, Thos., in militia, **22**. 496.
Tillet, Wm., appraiser, **2**. 246.
Tillett, John, juror, **4**. 520.
Tillett, Wm., excepted from pardon, **1**. 864, 873.
Tilley. See Tilly.
Tilley, Edmund, Sr., pensioner, **22**. 88.
Tilley, Henry, pensioner, **22**. 88.
Tilley, Jacob, army rank, **16**. 1174.
Tilley, Jacob, army rank, **16**. 1175.
Tilley, Jno., petitions, **19**. 935.
Tilley, Lazerous, pensioner, **22**. 88.
Tilley, Learus, petitions, **19**. 934, 935.
Tilley, Lewis, army pay, **17**. 253.
army rank, **15**. 730; **16**. 1169.
Tilley, Thom., petitions, **19**. 934.
Tillghman. See Tilghman.
Tillghman, Wm., in militia, **10**. 100.
Tillman. See Tilman, Tilmon.
Tillman, Capt., war stores delivered to, **13**. 185.
Tillman, Aaron, army rank, **16**. 1174.
Tillman, Aaron, in militia, **22**. 494.
Tillman, Belitha, army rank, **16**. 1168.
Tillman (Tilman), John, a J. P., **9**. 1020; **11**. 710; **23**. 993.
allowance to, **17**. 363.

brings in vessel and payment for same, **10**. 416.
Caswell to on Roach, **18**. 763.
colonel, **22**. 960.
coms'r on navigation, **24**. 125, 403.
contests election, **19**. 341-342.
elected captain, **12**. 636, 638, 743, 744, 761.
in assembly, **12**. 265, 289, 347, 360, 361, 399, 408, 412, 432, 441, 655, 656, 675, 698, 702, 718, 723, 730, 733, 736, 751, 761; **16**. 1; **17**. 877, 878, 936, 947, 948, 952, 963; **19**. 371, 374, 376, 391, 393; on com. of assem., **12**. 4, 22, 119, 126, 137, 147, 208, 273, 284, 289, 304, 370, 385, 554, 560, 586, 658, 660, 665, 682, 691; **17**. 799, 812, 823, 833, 885, 895, 909, 923.
major, **10**. 530, 577.
on S. C. of Pitt, **10**. 38.
paid to transport salt, **10**. 461.
recommends Curtis, **9**. 802.
resigns as colonel of militia, **21**. 180.
sent to visit Cornell and London, **12**. 174, 340, 341.
surety, **11**. 710.
to Burke on capture of Newbern, **15**. 623-624.
to Caswell on Fort Hancock, **13**. 327; on supplies for Fort Hancock, **13**. 172.
to raise militia, **10**. 457.
Tillman, Michael, in militia, **22**. 494.
Tillman, Moses, in militia, **22**. 494.
Tillman, Richard, petition, **19**. 504.
Tillory. See Tillery.
Tillory, Mr., **14**. 105.
Tillory, John, late Q. M., **11**. 717.
rank settled, resigns as Q. M. and elects successor, **15**. 700.
recommended for promotion, **11**. 716.
recommends Wilson, **11**. 717.
Tillotson, J., pays money to U. S., **16**. 928, 989.
Tillotson, Thos., **18**. 540.
Tillotson's Sermons, **7**. 241.
Tilly. See Tilley.
Tilly, **5**. xiv.
Tilly, Stephen, pay to, **22**. 488.
Tilman. See Tillman, Tilmon.
Tilman, Capt., **13**. 449.
Tilman, Col., commands troops, **15**. 467.
Tilman, Maj., **11**. 539.
Tilman, Belitha, army rank, **13**. 527; **16**. 1172.
Tilman, John, **22**. 427.
Tilman, Jno., army rank, **16**. 1172.
Tilman (Tillman, Tilmans), Moses, land grant to, **4**. 353, 625, 650, 651, 709, 892, 895, 960, 1035.
petitions for land, **4**. 805.
Tilman, Wm., army rank, **16**. 1172.
Tilmon, Balitha, in army, **13**. 521, 527.
Tilmon, John, in army, **13**. 522.
Tilmon, Wm., in army, **13**. 523.
Tilmon, Sampson, army pay, **17**. 253.
Tilson, Wm., in army, **15**. 737.
Tilto, Michael, army pay, **17**. 253.
Tilton, Amos, army pay, **17**. 253.
Tilton, John, claims allowed, **6**. 212.
Tilus, Stephen, army pay, **17**. 253.
Timber, **6**. 606-607; **7**. 471.
character, **3**. 49; **5**. 2, 11.
in Clarendon Co., **1**. 154.
in S. C., **1**. 206; **2**. 233.
instructions to agent on, **9**. 579.
land taken up for, **9**. 1020, 1021.
offer of to Nicholson, **1**. 514.
on Edisto River, **1**. 123-124, 125, 138-139.
on Port Royal, **1**. 134-135, 138-139.
proclamation against entering lands for, **9**. 294-295.
report on, **7**. 429-430, 440-441, 546.
sent to England for naval uses, **7**. 112-113.
Timberlake, Richard, in militia, **17**. 1058.
Timbrel, Jno., army rank, **16**. 1169.
Time, reckoning changed, **4**. xiv.
Time of payment, act to ascertain, ment'd, **3**. 186.
Timer, Danl., army rank, **16**. 1175.
Timmon, Jas., witness, **22**. 428.
Timmon, Robt., witness, **22**. 428.
Timmons, John, petitions on land grants, **9**. 1260-1262; **11**. 250-252.
Timmons, Thomas, petitions on land grants, **9**. 1260-1262; **11**. 250-252.
Timms. See Tims.
Timms, Jos., boundary coms'r, **25**. 38.
Timons, Argile, petitions on county bounds, **9**. 633-634.
Timothy, **17**. 586.
Timothy, Mr., **8**. 3.
Timothy, Peter, prisoner, **15**. 392.
Timothy, Peter, Tryon to on post, **7**. 439-440.
Timothy's Southern Gazette, cited, **5**. xxxvi.
reprint from, **5**. 372-374.
Timpson, Jno., in militia, **22**. 386.

Timpson, Rich'd, in militia, **22**. 385.
Tims. See Timms.
Tims, Jona., army rank, **16**. 1174.
Tin, arrives in Cape Fear River and bought for use of State, **12**. 720, 723.
imported and to be bought, **12**. 627-628.
Tindal. See Tendall, Tindall, Tyndal.
Tindal, James, in assem., **21**. 2, 3, 52, 66, 74, 77, 109, 115, 133, 160, 179, 189, 194, 196, 234, 294, 432, 436.
memorial, **21**. 770, 824, 835, 920, 926, 1007.
Tindal, John, land grant to, **4**. 761.
Tindall, Elijah, army pay, **17**. 253.
Tindall, James, in conv. 1789, **22**. 38, 47, 48.
Tindall, Samuel, land grant asked, **4**. 707.
rights proved, **4**. 706.
Tindhall, John, land grant to, **4**. 945-946.
Tine and Lott, supply army, **16**. 485, 496.
Tiner. See Tyner.
Tiner, ——, petition of, **10**. 923.
Tiner, James, juror, **4**. 521.
Tiner, Jesse, army rank, **16**. 1175.
Tiner, John, juror, **4**. 521.
Tiner, Martin, army pay, **17**. 253.
Tiner, Mich., Jr., juror, **4**. 521.
Tines, Samuel, agrees for horse race, **9**. 370.
Tines, Saml., in militia, **22**. 166.
Tiney, Jas., army rank, **16**. 1173.
Tiney, Thomas, land grant to, **4**. 650.
Tingey, Charles, felon, **22**. 856.
Tinian, 11. 528.
Tinker, Capt., 18. 783.
Tinker, Gov., 6. 290.
Tinker, Edward, buys at Martin's sale, **22**. 880, 881.
fits out and captain of privateer, **10**. 638.
payment to, **21**. 128.
petition, **19**. 178, 179, 301; **20**. 510, 563-564, 571; **21**. 48, 54, 868, 893, 895, 1057, 1058.
to Caswell on threatened invasion, **14**. 85-86.
Tinker, Ishol, asks privateer's commission, **15**. 342.
Tinker, Jno., army rank, **16**. 1173.
Tinker, John, given leave to raise troops for Bahamas, **4**. 701.
Tinker, Stephen, 18. 652.
Tinker, Tom, tried for riot, **2**. 821, 824-5, 828.
Tinkling Spring Church, 5. 1213.
Tinnen. See Tennan, Tennen, Tinnin.
Tinnen, Carnes, witness, **8**. 532.
Tinnen, James, army pay, **17**. 252.
Tinnen, James, army pay, **17**. 252.
Tinnen, Robt., pensioner, **22**. 89.
prisoner, **15**. 609.
Tinnen, Robert, witness, **8**. 532.
Tinner, Wm., army pay, **17**. 253.
Tinney, Saml., army rank, **16**. 1175.
Tinnian, Hugh, major, **10**. 753.
Tinnier, Carns, 5. 1215.
Tinnier, John, 5. 1215.
Tinnin, Alex., army pay, **17**. 252.
Tinnin, Carmes, juror, **7**. 843, 845, 846.
Tinnin (Tinnen, Tinner), Hugh, commends tories, **16**. 277.
petitions, **19**. 932.
prisoner, **15**. 609.
protests against regulators, **8**. 273-275.
to Burke on militia, **22**. 580-1; on public affairs, **16**. 229.
to Mallett on removal of negroes, **15**. 633.
Tinnin, John, juror, **7**. 843, 845, 846.
Tinnin, John, receipts for services, **22**. 481.
Tinnin, Robt., petitions, **19**. 932.
Tinning, Col., 22. 585.
Tinning, John, receipts for service, **22**. 467.
Tinny, Jno., army rank, **16**. 1173.
Tinsfield, 12. 457.
Tinsley, Chas., army rank, **16**. 1173.
Tinton, Thomas, petition on separation, **22**. 705-12.
Tiplet, Isaac, army pay, **17**. 254.
Tippen, W., receives pay for soldiers, **17**. 252.
Tipper, John, army pay, **17**. 253.
army rank, **16**. 1169.
Tipper, John, in army, **15**. 719.
Tipper, Wm., army pay, **17**. 252.
Tipper, Wm., army rank, **16**. 1174.
Tippet, Erastus, army rank, **16**. 1175.
Tippett, Erastus, army rank, **16**. 1173.
Tippit, Geo., army rank, **16**. 1175.
Tippling houses, act on, **23**. 79-80, 97, 182-5, 337, 492-4, 725-8; **25**. 161, 169, 182, 203, 262, 358.
bill for restraint of, **7**. 599, 604, 608, 614, 623, 633, 637, 641, 649, 653, 668, 696.
note on act, **3**. 187, 190.

Tippong, Conrad, pensioner, **22**. 88.
Tipps, Jacob, pensioner, **22**. 88.
Tips, Job, army pay, **17**. 253.
Tiptoe, Indian, **7**. 207.
medal to, **7**. 209.
wins battle, **7**. 209-210.
Tipton, Col. John, **20**. 689; **22**. 698(?).
and election in Washington Co., **18**. 243, 244.
arrests Sevier, **22**. 700.
Caswell to on public affairs, **20**. 623.
consulted, **22**. 680.
Franklinites to march against, **22**. 716.
in assembly, **18**. 6, 24, 59, 61, 69, 90, 91, 92, 134, 136, 154, 156, 161, 185, 198, 201, 202, 203, 287; **20**. 192, 326, 476, 477, 478, 483, 489, 514, 516, 519, 520, 523, 527, 535, 536, 543, 546, 547, 550, 554, 555, 567, 577, 588; **21**. 5, 16, 176.
in conv. 1788, **22**. 3, 5, 7, 25, 30, 32, 35.
letter ment'd, **20**. 218, 276.
on com. of assem., **18**. 15, 25, 34, 47, 48, 49, 66, 67, 70, 93, 94, 98, 99, 100, 107, 109, 110, 111, 124, 173, 174, 175, 176, 193, 207, 211, 224, 245, 256.
quarrels with Sevier, **21**. 470.
Sevier to on Franklin flag, **22**. 695; on convn., etc., **22**. 715.
summoned to surrender, **22**. 714.
to Martin on Franklin State, **22**. 648, 691-3.
Tipton, Jonathan, Watauga to be annexed, **10**. 708-711.
Tipton, Joseph, in conv. 1788, **22**. 3, 5, 26, 27, 30, 32.
Tipton, Jos., poll inspector, **18**. 230, 243.
Tirrell. See Terrall, Terrel, etc.
Tirrell, Timothy, act for land to, **24**. 629-30.
land grant to, **19**. 572.
Tisdale, Antipass, allowance to, **22**. 851.
Tisdale, Wm., **14**. 177.
a J. P., **11**. 710; **23**. 993.
address of, **19**. 5-6.
allowance to for seal, **13**. 891, 956, 983.
candidate, **10**. 826.
Caswell to with commission as judge of admiralty, **13**. 108-109.
employed to engrave plates for currency, **10**. 285.
goods seized under warrant of, **12**. 624, 741-742, 745.
in assembly, **9**. 223; **17**. 265, 266, 293, 304, 322, 328, 364, 365, 366, 368, 387, 394, 385, 406, 424; **20**. 33, 77.
in Prov. Cong., **10**. 166, 168, 173.
issues warrant, **13**. 142.
judge of admiralty ct., **12**. 43, 44, 45.
juror, **8**. 508, 509.
on com. of assem., **17**. 298, 304, 314, 367.
on com. of Prov. Cong., **10**. 168.
on Newbern Dist. S. Com., **10**. 215, 414, 415, 417, 444, 456, 459, 461, 462, 463.
on S. C. of Craven, **9**. 1237.
order on prisoners, **14**. 326.
petitions on his suspension, **16**. 22, 24, 106, 108.
recommends Stanley, **10**. 788.
resigns as J. P., **19**. 485, 826, 828.
signs warrant for seizure of goods, **13**. 47.
suspended as judge, **17**. 960, 962; **19**. 197-198, 325.
takes affidavits, **13**. 425, 429-430.
takes Indian slave from Tomlinson, **12**. 139, 143, 166, 302, 311.
to Council of Safety recalling recommendation of Stanley, **10**. 861-862.
to cut and engrave seal, **24**. 166.
to superintend press, **24**. 320.
to try Lovick-Smith case, **17**. 665, 671, 749-750.
watchmaker, **10**. 826.
witness in Clay case, **19**. 784.
Tisdale, Wm., army rank, **19**. 370.
Tish of Settico, Indian, **10**. 784.
Tisen, James, in army, **13**. 515.
Tison. See Tyson.
Tison, Aaron, in militia, **9**. 696.
juror, **8**. 529.
on com. to collect aid for Boston, **9**. 1081.
petitions for Tyson, **16**. 580-581.
Tison, Abraham, in army, **13**. 525.
Tison, Cornelius, patroler, **10**. 64.
petitions for Tyson, **16**. 580-581.
Tison, Frederick, petitions for Tyson, **16**. 580-581.
Tison, Henry, in army, **13**. 516.
Tison, Jacob, in militia, **9**. 696.
Tison, Job, enlists, **16**. 265.
Tison (Tyson), John, in militia, **9**. 696.
letter on case of, **10**. 423.
on com. to collect aid for Boston, **9**. 1081.

opposes contributions to Boston, **9**. 1154.
petition on C. H., **9**. 806-808.
signs Pitt Asso., **10**. 222.
summoned before S. C., **9**. 1240; and takes oath, **10**. 243, 261.
to be advertised, **9**. 1266.
Tison, John, land grant to, **4**. 891.
Tison, Jonathan, patroler, **10**. 64.
petitions for Tyson, **16**. 580-581.
Tison, Moses, signs Pitt Asso., **10**. 221.
Tison, Noah, signs Pitt Asso., **10**. 221.
Tison, Samuel, exempted as juror, **8**. 508.
Tison, Samuel, juror, **8**. 508.
Tison, Samuel, patroler, **10**. 64.
Tison, Thos., patroler, **10**. 451.
Tison, Thos., receives pay for soldiers, **17**. 204, 239.
Tison, Travis, army pay, **17**. 254.
Tison, Wm., patroler, **10**. 64.
petitions for Tyson, **16**. 580-591.
Tissopson, Guilford Co., **14**. 594.
Tithables, act for list of, **2**. 889-890; **25**. 162-6, 174-5; act on, **23**. 72-73, 122; **25**. 161.
age, **2**. 889.
bill to regulate, **4**. 372, 374, 375, 376, 380, 400, 402, 403, 404, 406, 408.
definition, **3**. xiv; in Va., **1**. 692.
in Albemarle Co., in 1694, **1**. 428.
in 1702, **1**. 559.
in 1717, **2**. xvii.
in 1721, **2**. 419.
in Va. in 1756, **5**. 564-565.
limit of tax on, **3**. 152.
list to be taken, **1**. 830, 833.
note on act, **3**. 187.
number, **2**. 296, 396; on Pee Dee River, **4**. 888.
petition against regarding free negroes, mustees and mulattoes as such, **6**. 982-983; on persons included as, **9**. 97-98.
taxed for established church, **2**. 287.
tax on, **2**. 151; **3**. xiv, 154, 189; **23**. 90-92.
to include all free negroes, etc., **23**. 106.
See also Taxables.
Titherton, John, army pay, **17**. 254.
Tithes. See Church of England, Established Church.
Titles, act on, **24**. 43-48, 270-1, 328, 400, 480; on buying of in force in N. C., **23**. 322; on t. to lands, **23**. 32-4, 333; **24**. 482-5; to quiet, **24**. 353-4, 383, 446-7.
bill to confirm, &c., **19**. 172, 173, 190, 192, 206, 214, 217, 277, 278, 288, 290, 304, 308, 334, 337, 342, 347, 348, 360; to repeal act on, **19**. 158.
Johnston on law of, **4**. 26.
note on act to confirm, **3**. 189.
recording of required, **4**. 1218.
Titles (honors), none, &c., to be conferred by Proprietors, **1**. 29, 110.
none in Congress or U. S., **22**. 798.
Titley, Mr., follows British, **16**. 506.
Titley, Joseph, on confiscation act, **15**. 203-205.
Titley, Patrick, army pay, **17**. 253.
Titman, Philip, pensioner, **22**. 88.
Titsworth, Abraham, petition on separation, **22**. 705-12.
Titsworth, Isaac, claims, **21**. 330, 626, 669.
Titterson, John, army pay, **17**. 254.
Titterton, Jno., army rank, **16**. 1175.
Tittley, Jos., character, **14**. 854.
Toadvine. See Toatvine.
Toadvine, Mr., **10**. 726.
Toamensing, Pa., **11**. 651.
Toap, Caleb, pensioner, **22**. 88.
Toasts, drunk in Phila., **9**. 1067.
Toatvine. See Toadvine, Todevine, Totevine, Tollevaine.
Toatvine (Totevine), Frederick, bill to change name of, **19**. 526, 530, 531, 535, 579, 661.
Tobacco, act against exportation of bad t. considered, **6**. 68, 69; against shipping of into Va. ment'd, **2**. 749; for gov. to buy for use of State, **24**. 407-8; for inspection, **23**. 548, 667, 728-41, 804; **24**. 104-9, 278-9, 586, 695-6, 770, 771-3, 847-8, 859, 861, 884, 886-8, 982; **25**. 16-17, 44-5, 83, 95-6, 99, 104, 107-8; **25**. 365-7, 383, 384, 385, 495-6; for storage, **24**. 629, 758-9; for warehouses for inspection, **23**. 484, 488, 507-8, 512-14, 649, 800; of Va. against N. C. repealed, **3**. 398; on, **23**. 477-478; on exportation, **23**. 402-17, 443-4; to amend staple, **23**. 948-52; to direct application of public t., **24**. 892-3; to increase pay of inspectors, **23**. 594; **25**. 479; to tax to repay that burned, **23**. 544-5; to use for payment of foreign debt, **24**. 812-13, 892-3.
amount made to be learned, **1**. 890;

rec'd for customs in Albemarle, **1**. 272, 278-279; and customs from, **1**. 242-244; raised in Albemarle, **1**. 255.
and public affairs, **16**. 494.
arrears to be paid in, **25**. 308; taxes, **23**. 782.
as currency, **1**. 219, 396, 398, 415, 494, 549, 617; **2**. v; **3**. 167, 174.
attempts to suppress illegal trade in, **1**. 440-442.
bad shipped from Va. to N. C., **4**. 170.
better in N. C. than Va., **2**. xv.
Bignall on buying, **22**. 597-600, 601-2, 604-6; on impressment of, **22**. 526-7, 596-8.
bill against bad t. considered by customs officers, **6**. 10; against exportation of bad, **5**. 260, 264, 266, 267, 269, 279, 281, 283, 284, 286, 287, 290, 310; for inspection, **4**. 390, 393, 394; **6**. 123, 125, 126, 127, 148, 149, 153, 159, 160, 162, 184, 200, 351, 352, 354, 359, 361, 368, 379, 381, 389, 391, 396-397, 400, 644, 645, 646, 647, 648, 660, 673, 675, 676, 677, 678, 679, 750; **7**. 556, 557, 558, 560, 563, 577, 578, 579, 582, 583, 623, 668; **17**. 315, 317, 319, 321, 325, 327, 328, 329, 332, 334, 336, 342, 343, 350, 352, 361, 362, 363, 365, 367; **18**. 39, 40, 46, 90, 96, 97, 106, 115, 135, 157, 170, 265, 266, 275, 285, 286, 292, 293, 314, 316, 323, 327, 339, 340, 360, 366, 378, 379, 392; **19**. 407-408, 419, 422, 450, 470, 729, 732, 749, 762, 790, 814; **20**. 30, 36, 40, 44, 47, 48, 58, 61, 77, 78, 101, 151, 153, 185, 203, 213, 225, 246, 249, 256, 333, 367, 381, 383, 413, 427, 488, 490, 492, 493, 502, 503, 509, 511, 540, 553, 575, 584; **21**. 17, 19, 23, 30, 33, 42, 45-46, 56, 203, 204, 218, 222, 255, 260, 263, 265, 277, 285, 295, 296, 299, 308, 322, 323, 325, 344, 346, 351, 370, 372, 375, 405, 421, 429, 577, 582, 619, 625, 646, 676, 699, 714, 715, 718, 767, 783, 802, 803, 810, 816, 821, 830, 831, 840, 842, 852, 856, 857, 889, 903, 905, 910, 914, 919, 922, 928, 940, 943, 967, 970, 974, 978, 982, 989, 992, 1000, 1011, 1019, 1023, 1027, 1028, 1033, 1034, 1046, 1052; for inspection in Johnston Co., **8**. 291, 292, 294, 301, 315, 319, 320, 343, 345, 428; for warehouse for inspection, **5**. 1021, 1022, 1023, 1036, 1052, 1056, 1057, 1062, 1065, 1097; for storage for, **19**. 576, 591, 592, 599, 660; on classing, **21**. 756, 770, 787, 903, 905, 910, 914, 928, 941-942; on coopers and turners, **20**. 559; on State t. considered, &c., **20**. 129, 135, 136, 139-140, 208, 210, 211, 217, 250, 253, 266, 267-268, 269, 274, 280, 281, 318, 390, 406-407, 433, 437-438, 450-451, 452-454, 456-457, 459, 472; to amend act to prevent frauds in, **13**. 554, 655, 711; to amend staple, **5**. 875, 877, 878, 888, 900, 901, 906, 923; **9**. 397, 402, 411, 416, 417, 418, 419, 426, 427, 429, 430, 445, 447, 497, 507, 522, 526, 530, 533, 538, 539, 550, 552, 585, 586, 662, 714, 715, 725, 751, 752, 753, 754, 761, 772, 775, 836, 840, 844, 860, 881, 882, 887, 896, 898, 900, 927, 1010; **12**. 144, 150, 151, 168, 189-190, 256, 308, 311, 314, 320, 338, 344, 357-358, 452; **13**. 356, 856, 868, 883, 952, 975, 980; to appropriate to pay foreign debt, **18**. 115, 159, 219, 235, 260, 261, 283, 314, 342, 375, 383, 410; to buy arms with, **17**. 846, 850, 858, 864, 941, 946, 949, 957, 964, 965, 968; to increase pay of inspectors, **6**. 857, 858, 865-866, 872, 874, 891, 924, 925, 926, 930, 937, 943, 948; to make taxes receivable in, **6**. 667, 674; to prevent exportation of bad, **5**. 675, 677, 678, 687, 719, 721, 723, 724, 725, 726, 735; to regulate inspection, **12**. 30, 90-91; **21**. 139, 140, 163; to revise act for inspection of, **7**. 309, 317, 319, 321, 338, 378, 379, 391, 396, 398, 399, 421.
bought for State to meet calls of C. C., sale of, &c., **18**. 567-568, 576-577, 578, 579-580, 583, 585, 586, 588, 592-593, 594, 597-598, 603, 606-607, 620-623, 624, 627-637, 638-639, 642, 647-648, 656-658, 672, 673-674, 678, 679-680, 723, 744, 748, 751, 761, 777-778, 779-782; **20**. 496, 497, 503, 504, 505, 521, 548, 556, 575, 583, 599; for use of State, **12**. 623, 641, 745-746; to load Pa. Farmer, **13**. 62.
burned in Va., **3**. xvii.
buying and selling considered, **18**. 231, 232, 239-240, 473.

carried to Boston, **1**. 547; to Va. and N. E., **1**. 243, 298.
collected in Albemarle, **1**. 265-266.
commissioners for purchase of for State, **15**. 582-584; elected, **17**. 412-413, 416; **18**. 189, 200-201, 420, 429, 449, 450, 451, 459; **20**. 100, 103.
committee reports on quantity of, **13**. 586-587, 632, 692-693, 695.
duties on, **1**. 291-293, 293.
duty not to be removed, **1**. 243-244.
effects of Va. prohibition act, **1**. xxii.
export of, **19**. 886-887; allowed, **15**. 576; **19**. 37, 39; restricted in Va., **8**. 189; on account of State, **14**. iv-v; to Va. and S. C., **22**. 34.
favor to in quit rents, **4**. 417.
fees to be paid in, **3**. 280.
fines recovered in, **1**. 185, 187.
high and scarce, **16**. 999.
illegal trade, **1**. 244-245 467, 468.
impressment of, **22**. 604; results of in Edenton, **22**. 556.
in N. C., **1**. 542.
in S. C., **1**. 206.
increase of, **1**. 691.
inspection needed, **6**. 449, 473, 477.
inspectors, **10**. 999.
inventory of shipments from C., **1**. 322-323; to be made in Albemarle, **1**. 330.
large sale of, **4**. 1120.
law against importation into Va., **1**. 628.
loaned to State, **16**. 472.
Macon allowed to export, **17**. 933, 935.
management of, **5**. 1-2.
medium of exchange, **25**. 120, 122, 137.
Montfort a buyer, **22**. 784.
not to be sent to Spanish ports in Europe, **22**. 900, 902.
petition for inspection in Hillsboro, **8**. 80*a;* on warehouse burnt, **6**. 537.
price in Holland, **11**. 398.
production of, **5**. xlii.
proposed payment in, **3**. 541, 548, 564, 568; of quit rents in, **3**. 235, 243.
public disposal of considered, **18**. 12.
purchases of, &c., **21**. 438, 458, 459, 467, 473, 475, 476, 479-480, 489, 510-511, 515, 516, 517, 518, 519, 520, 521, 524, 525, 532, 533, 541, 547, 548, 555, 556, 557, 558, 559, 560, 564, 565, 566, 567, 568.
quit rents paid in, **11**. 68, 69.
rents payable in, **4**. 109, 148.
report on, **6**. 1029; of coms'rs on, &c., **18**. 25, 253, 256, 261; on public, **18**. 64-65, 235, 238; on purchase and sale of, &c., **21**. 30, 34-35, 41, 46, 56, 92, 93, 95-98, 100, 108, 109, 114, 116, 117, 135, 138, 140, 146, 148, 178, 179, 186, 192, 763, 912, 916.
results of its impressment on commerce, **15**. 601-602.
sales of, reports on, &c., **21**. 12, 199, 206, 211, 262, 374, 394, 421, 422, 424, 426, 634, 692, 697, 716, 722, 723, 725, 726.
seized, **1**. 325; by privateer, **13**. 397-398; by rebels, **1**. 293, 311.
sent to prisoners, **21**. 1044-1045; to South Quay, **13**. 177.
shipped from Albemarle, **1**. 294; to W. I., **14**. 299-300; **15**. 666-667; for salt and arms, **15**. 337-338; on public account, **13**. iv; to Va., **1**. 247-248.
smuggled to N. E., **3**. xvi-xvii.
State disposal of public t., **20**. 602, 603, 605-606, 613, 620, 621, 624-627, 628-629, 635, 636, 638, 639-641, 644-646, 650, 658-659, 668, 674-675, 679, 680-681, 683, 686-688, 693-694, 698-700, 716-718, 724-725, 726, 728-729, 734-735, 737-740, 749, 754, 761.
stolen by Miller, **1**. 249.
storage warehouse, **17**. 302, 346, 397, 406.
Stewart reports on, **14**. 457.
superior to Va. grade, **5**. 317.
Thomas on t. contracts of State, **22**. 809.
to be delivered to Mrs. Burke, **15**. 648.
to be inspected, **5**. 331-332.
to be purchased by State, **24**. 724, 797, 812-13.
to be sent to Charleston, **16**. 56; **17**. 841.
to be shipped on account of State, **13**. 889, 890, 979, 982; to France, **11**. 436.
to be used as basis for securing arms, **13**. 588-589, 591, 605, 692-693, 695, 776; **18**. 822-823, 825; **19**. 865; to pay fees, **3**. 322.
trade with to France discussed, **18**. 627-634, 722, 744.

traded for cannon, **19**. 708-711; **22**. 994.
trouble in carrying to warehouses, **4**. 1276.
used as basis of trade, **16**. 193-194; **17**. 800-802, 804, 887, 911; as medium of exchange, **19**. 481; to pay for cannon, **13**. 324-325, 326; to buy a. and a., **19**. 872, 873, 874; to pay public debts, **16**. 547.
Va. assem. bewails amount of, **1**. 311-312.
Va. law against N. C. t., **1**. xxii, 261-262; **2**. xiv-xv, 636, 816; discussed by Everard, **2**. 762-763; against importation from N. C. by Fitzwilliam, **2**. 683-685; by Gooch, **2**. 773-775.
Tobacco colonies, of most importance, **2**. 156.
Tobacco notes, provision for, **23**. 407, 408, 410, 412, 414, 416, 488, 733, 734-6, 737, 738, 739, 740, 948, 951; **24**. 105, 107, 108, 438.
Tobacco planting, cessation, **1**. xiii, xxii, 117-118, 139-144, 151-153; with Md., **1**. xxx, xxxii.
petition for cessation, **1**. 74-75.
proposed cessation, **1**. 312-313.
Tobacco warehouses, indigo brought to for inspection, **23**. 645-6, 800.
Tobago, taken by French, **15**. 588.
Tobin, Wm., army rank, **16**. 1175.
Tobocok(-h), treats with U. S. for Choctaws, **18**. 799-802.
Toby, John, killed in war, **2**. 68.
wages secured by another, **2**. 182.
Toby, Wm., army rank, **16**. 1169.
Tocket, Gottlieb, asks that Moravian settlement be put into Surry Co., **9**. 47-48.
Tocksey, Wm., ensign, **10**. 559.
Tod, John, petition against marriage act, **9**. 623-624.
Todd, Mr., deposition ment'd, **10**. 237.
Todd, Ephm., army rank, **16**. 1171.
Todd, Jas., army rank, **16**. 1171.
Todd, Jas., land grant to, **19**. 572.
Todd, John, army pay, **17**. 253.
Todd, John, army pay, **17**. 254.
army rank, **16**. 1173.
Todd, John, in Leg. of Transylvania, **9**. 1267, 1271, 1273, 1274, 1275, 1276.
Todd, John, rights proved, **4**. 596.
Todd, John, lieut., **22**. 133.
Todd, John, prisoner, **15**. 392.
Todd, Rev. John, **5**. 1221.
Todd, Joshua, report to be made on property of, **10**. 317.
Todd, Josiah, army pay, **17**. 254.
army rank, **16**. 1173.
Todd, Lewis, pensioner, **22**. 87.
Todd, Thos., army pay, **17**. 253.
army rank, **16**. 1171.
Todd, Thos., claims, **4**. 809.
Todd, Thos., in militia, **22**. 453.
Todd, Thos., road overseer, **1**. 535.
Todd, Wm., army rank, **16**. 1171.
Todd, Wm., deposition on burning of Ft. Johnston, **10**. 131-132.
imports goods, **10**. 511.
Todd, Wm., in militia, **22**. 160.
Todd, Wm., regulators' entry on causes of, **8**. 240.
Todd, Wm., reënlists, **15**. 749.
Todd, Wm., to Caswell on his efforts to leave N. C., **11**. 646-647.
Todd, Wm., takes oath, **22**. 176.
Todd, Wm., voter, **15**. 237.
Todd's Landing, inspection at, **23**. 791.
Todevine. See Toatvine.
Todwine, Coleman, army rank, **16**. 1170.
Toe River, **10**. 713.
Togah people, The, give up Dews, **22**. 1004.
Toisnot. See Tosneat.
Toisnot, **9**. 1064.
Toisnot Church, **5**. 1176, 1181.
Tokok (Indian town), **22**. 995, 996, 998, 999, 1001, 1002.
Tolar, Nehemiah, pensioner, **22**. 88.
Toler, Robert, **22**. 475, 484.
boat owner, **22**. 464.
Toler, Thomas, juror, **4**. 524.
Toleration, under Tryon, **8**. xliii.
Toliner, Jesse, pensioner, **22**. 88.
Toliver, Jas., army rank, **16**. 1196.
Toll books, act for, **25**. 161; to appoint, **23**. 99, 112-114, 334, 335; to appoint place where they are to be kept, **23**. 60-61, 333; note on act for, **3**. 186, 190.
Toll bridges and roads, act to vest, **24**. 634-7.
Tolland, Conn., **5**. 1166.
Tollemache (Tolemache), Capt., **10**. 69, 71.
seizes negroes, **11**. 268.
takes schooner, **11**. 268, 271.
Toller, Caleb, in militia, **22**. 497.
Toller, James, in militia, **22**. 496.
Toller, Matthias, in militia, **22**. 496.
Tollipusses, increase, **7**. 213.

Tollock, Thos., in assem., **19**. 382, 386, 392.
Tolls, act on explained, **17**. 409.
Tolson, Benj., in militia, **22**. 427.
Tom, slave, **17**. 595.
Tom Dabbings Quarter, regulators in, **8**. 614.
Tom of Chatuga, signs treaty, **17**. 586.
Tomant, John, deputy Q. M. G., **12**. 510.
Tomassee (Tomassie), burned, **10**. 882.
Indian fight at, **10**. 747.
Tombeckby River, Alibamon Indians settle on, **7**. 281.
Tombeebee (Tombegbi) Fort, **6**. 617, 975.
Tombigby River, settlement on desired, **22**. 788.
Tomblin, Jno., army rank, **16**. 1173.
Tomes. See Toms.
Tomes (Toms), ——, law suits, **1**. 394, 399, 400.
Tomes, Foster, quit rents of, **22**. 254.
Tomes, Francis, quit rents of, **22**. 254.
Tomkins. See Tompkins.
Tomkins, ——, **12**. 517.
Tomkins, Mr., **17**. 169.
Tomkins, Jordan, in army, **15**. 740.
Tomkins, Stephen, C. H. coms'r, **24**. 464.
Tomkin's Mill, **15**. 517.
Tomlin, John, robbed by Sothell, **1**. 369.
Tomlin, Wm., juror, **4**. 518.
Tomlinson. See Thomlinson.
Tomlinson, Mr., **13**. 217.
Tomlinson, Aaron, army rank, **16**. 1174.
Tomlinson, John E., juror, **8**. 508, 509.
Tomlinson, John Edgar, takes oath, **22**. 921-2.
Tomlinson, John Edge, memorial of on Indian slave, **12**. 138-139, 143, 166, 302, 311.
refuses to reimburse bondsman, **10**. 462.
Tomlinson, Peter, Indian slave, **12**. 138, 139, 302.
Tomlinson, Rich'd, pensioner, **22**. 88.
Tomlinson, Thos., act on mill dam, **24**. 938.
Tomlinson (Thomlinson), Thos., character and extent of school, **7**. 98, 99, 104.
extra salary to, **7**. 458.
fortunes in connection with Newbern school trouble, **9**. 238-243.
Martin on character and work, **9**. 304-306.
memorial on school of in Newbern, **7**. 35-36.
opens school in Newbern, **6**. 1048.
returns to Eng., **10**. 428.
salary as teacher increased, **7**. 241.
school of ment'd, **7**. 750.
teacher, **7**. 689.
to S. P. G. on the Newbern school troubles, **9**. 245-248, 317-318.
work as teacher, **9**. 6.
Tomlinson, Thomas, church warden, **25**. 35.
Tomlinson, Thos., in militia, **22**. 333.
Tomlinson, Thos., owns East Indian, **13**. 380.
Tomlinson, Thos., petition, **21**. 984-985, 998, 1034, 1042.
Tomlinson, Turner, prisoner, **19**. 839, 840.
Tommus. See Thomas.
Tommus, Jno., in militia, **22**. 342.
Tomny, Joseph, land grant to, **4**. 329.
Tomo Tschatchi, king, visits Moravians, **5**. 1144.
Tomotly, **10**. 892.
Tompkins. See Tomkins.
Tompkins, John, quit rents of, **22**. 245.
Tompson. See Thompson, etc.
Tompson, George, made pilot of Roanoke Inlet, **2**. 200.
Tompson, Wm., sends box to C., **1**. 457.
Toms. See Tems, Tomes.
Toms, Forster, drafted Quaker, **13**. 275.
Toms, Foster, in assembly, **18**. 227, 228, 297, 311, 312. 317, 344, 345, 346, 350, 357, 361, 362, 471.
Toms (Tomes, Tomnes, Tems), Francis, a deputy, **1**. 405.
a justice, **1**. 410, 413, 415, 418, 420, 423, 424, 427, 428, 434, 435, 437, 438, 442, 444, 448, 454.
attorney, **1**. 403-404, 443, 457, 485.
charges against estate of Sothell, **1**. 456-457.
convinced, **1**. 216.
furnishes corn to Blany, **1**. 457.
in council, **1**. 575.
law suit, **1**. 481.
meeting at house of, **1**. 227.
opposes law of distress, **1**. 429.
sells, **1**. 650.
swears to account, **1**. 452.

will of proved, **1**. 855.
witness, **1**. 490, 741.
Toms (Tomes), Francis, Jr., executor, **1**. 855.
lapse patent to, **2**. 683.
petition, **1**. 566.
road overseer, **1**. 494.
witness, **1**. 574, 610.
Toms, Jeremiah, in militia, **22**, 334.
Toms, Joshua, divider of estate, **2**. 550.
executor, **1**. 855.
witness, **1**. 485.
Tomson. See Thompson, etc.
Tomson, Benj., in militia, **22**. 381.
Tomson, George, carries ammunition, **1**. 878-879.
Tomson, Jas., in militia, **22**. 340.
Tomson, Jesse, asks for new county, **9**. 90.
Tomson, John, asks for new county, **9**. 90.
Tomson, John, Jr., asks for new county, **9**. 89-90.
Tomson, Rich'd, in militia, **22**. 339.
Tomson, Robert, denounces Moore, **8**. 520.
Tomson, Wm., asks for new county, **9**. 89-90.
Tomson, Wm., regulator, **7**. 735.
Tonbridge Wells, **1**. 323.
Tonehberg, Samuel, regulator, **8**. 79.
Toney, executed, **8**. 142.
Toney, killed and paid for, **22**. 815.
Toney, pay to, **22**. 500.
Toney, Arthur, army pay, **17**. 252
pensioner, **22**. 87.
Toney, Jno., army rank, **16**. 1174.
Tonnage, abstract of, **5**. 314.
act to levy duties, **23**. 45-46, 401-2, 467-8, 505-7.
Baker and Ormond receivers of duties, **5**. 328-329.
duties, **3**. xiv.
failure to secure act discussed, **8**. 533.
how taken, **24**. 719.
on ships, bill for, **5**. 267, 268, 272, 273, 274, 279, 288, 290, 294, 296, 297, 300, 309.
refusal to pass act for duty on, **8**. 169.
report on for Beaufort, **8**. 174.
Tonston, Hendry, in militia, **22**. 281.
Tonyirs Revenge, sloop, captured, **13**. 186; **22**. 758.
Tonyn, Patrick, talk as Br. com. to Creeks, **10**. 341-345.
Tonquett, Anthony, petitions on outlaws, **11**. 731-732.
Too Cowee, burned, **10**. 896.
Toobenohoomock, signs Choctaw treaty, **18**. 802.
Tood, James, act for land to, **24**. 629-30.
Tood, Wm., taxable, **15**. 192.
Toogola, S. C., **10**. 746.
Took, John, executor of estate, **1**. 584.
Tooke (Took, Tookes), James, administrator, **1**. 584.
appraiser, **2**. 56.
buys land, **2**. 103.
executor, **2**. 486.
executors sued, **2**. 427, 454, 455, 462.
law suits, **2**. 104-105 111, 112.
pleads for arrest of judgment, **2**. 111.
proves power of att'y, **1**. 593.
receives power of attorney, **2**. 86.
sells land, **4**. 1041.
sloop of to be cleared, **2**. 71.
Tool, Capt., **10**. 679, 771.
leads mob against Pollock, **10**. 1030.
takes Pollock prisoner, **10**. 1029.
Tool, Lawrence, town coms'r, **25**. 452.
Tool, Matthew, land grant to, **4**. 1047.
does harm among Catawbas, **5**. 647.
interpreter, **5**. 584; to Catawbas, **5**. 141, 144*b*.
treaty with Catawbas at house of, **5**. 141-144*b*.
Toole, ——, journals of cited, **13**. 908.
Toole, Mr., **5**. 1211.
Toole, Henry Irwin, allowance to, **20**. 293, 402.
captain, **10**. 187, 287.
coms'r on town, **24**. 176, 740.
delivers bills, **12**. 264.
in assembly, **17**. 878; **19**. 391.
on family of Henry Irwin, **22**. 1008.
petition, **19**. 523, 527, 596, 600.
settles estate, **19**. 144.
resigns as captain, **10**. 559.
to pay money, **19**. 259.
Toole, John, a J. P., **22**. 719.
Toole books (toll?), ment'd, **1**. 490.
Toole's Journal, **12**. 612.
Tooley, David, deserter, **16**. 518.
Tooley, Nathaniel, petition of, **18**. 26, 66, 75, 257, 259, 301.
Tooley, Thos., exempted, **4**. 391.
Tooley, Thos., juror, **25**. 190.
Tool's Fork, **7**. 1005.
Toomer, ——, and negroes, **16**. 996-997.
Toomer, ——, discharged as tory, **16**. 966.

Toomer, Mr., **15**. 322; **17**. 185.
Toomer, Mr., signs bond, **22**. 776.
Toomer, Anthony, prisoner, **15**. 392.
Toomer, H., army pay, **17**. 252.
Toomer, Henry, **14**. 144.
Blount to on tea and deerskins, **20**. 702-703.
claims allowed, **12**. 89; paid, **10**. 439.
commissary and payment to, **10**. 630; **12**. 98, 99, 101.
coms'r on building, **24**. 694; on exports, **10**. 473-374; on Ft. Johnston, **24**. 171; on lot, **24**. 296; on navigation, **24**. 218; on pilotage, **25**. 7; on town, **24**. 611; to sell the Washington, **12**. 237, 420, 422.
committee to reëxamine accounts of, **12**. 412.
complaints of as forage master, **14**. 837.
contributes to S. C., **10**. 437.
corn to be delivered to, **13**. 779-780; **18**. 820-821, 824.
nominated for marshal of ct. of admiralty, **12**. 25, 44.
offers the Washington for sale, **11**. 825.
on confiscation act, **15**. 203-204.
on S. C. of Wilmington, **10**. 69, 72, 89, 93, 112, 124, 151, 158, 159, 160, 161, 220, 283, 298, 304, 328, 331, 334, 335, 336, 363, 388, 405, 410, 411, 412, 418, 419, 420, 421, 426, 427, 431, 436.
presents bill for salt, **13**. 134.
promises provisions, **10**. 614.
recommended as paymaster, **11**. 548.
sells leather, **13**. 85.
signs bond for public money, **15**. 319.
taxable, **15**. 192.
tea sent to, **20**. 405.
to Caswell on his appointment as commissioner, **11**. 582; on repair of Fort Johnston, **13**. 163; on tea and answer, **20**. 727.
to Dry on seizure of vessels, **7**. 177-178.
to furnish Dauge with provisions, **11**. 612; troops of White with provisions, **12**. 171-172; Ga. troops with provisions, **12**. 339, 348.
to provide barracks, **10**. 388.
to report on militia, **10**. 645.
to Tryon on Stamp Act proceedings, **7**. 242-243.
voter, **15**. 238.
willing to be commissioner for the General Washington, **11**. 528, 533.
Toomer, Joseph, army pay, **17**. 253.
Toomer, Joshua, bill for supplies, **22**. 269.
claims allowed, **6**. 212; **22**. 825.
memorial in favor of Smith, **6**. 58-60.
petitions on roads and ferries, **5**. 164-166.
Toomer, Joshua, in militia, **22**. 385.
Toomer, Richard, building coms'r, **24**. 138.
Toomers, Mr., **5**. 207.
Toomey (Toomy, Tomy), John, calls witnesses, **1**. 402.
law suits, **1**. 402, 445; over estate, **1**. 443-444.
suit against estate of, **1**. 432.
Tooner, Henry, in militia, **22**. 384.
Toop, Alexander, army pay, **17**. 253.
Toostaka, signs treaty, **17**. 586.
Toothehooma, signs Choctaw treaty, **18**. 802.
Top, George, in army, **15**. 726.
Tope, Abel, army pay, **17**. 253.
Topp, Geo., pensioner, **22**. 87.
Toppan, Christp., speaker, **17**. 572, 576.
Topping, Wm., deserter, **11**. 742.
Topsail, **3**. 256; **6**. 761; **10**. 616; **11**. 672.
Topsail Creek, **3**. 641.
Topsail (Topsall) Inlet, **2**. 325; **3**. 641; **4**. 169, 170, 361; **5**. 315, 333, 343, 572; **13**. 418; **23**. 230, 296.
a collection district, **3**. xvi.
act for canal to, **23**. 684-5; for fortification near, **23**. 293; to improve navigation, **23**. 127.
battery at, **5**. 586, 666, 682, 700.
bill for canal to, **19**. 153, 157, 163, 273, 274, 275, 278, 283; to facilitate navigation, **4**. 784, 785, 786.
channel discovered, **3**. x, 436.
emissions for fort at, **8**. 213.
fort at, **5**. 949; to be erected at, **5**. 159; to be examined, **5**. 897, 909.
fortification of requested, **12**. 336.
good harbor, **5**. 316.
Spanish wreck at, **4**. 1305.
Topsail Inlet, Old, **5**. 345.
Topsail Sound, militia to be raised for protection of, **17**. 828, 829.
Topsel, Old (Tassel(?)), quoted, **22**. 683.
See also Old Tassel.
Toquah, **7**. 215; **10**. 770, 771, 781, 784.

Toquo, 17. 585.
Torans. See Torrance, etc.
Torans and Rose, 17. 170.
Torbay, British fleet at, **15.** 339.
Torfield recognances, 9. 653.
Tories, 10. 712, 737, 744, 820, 828, 864, 873, 950, 954, 956, 1033; **11.** xiv, 276, 366, 396, 456, 548, 559, 581, 611, 627, 629, 648, 650, 694, 715, 723, 822, 829; **12.** 373; **13.** 777; **14.** 432, 469, 562, 569, 605, 626-627, 634, 694, 727, 741, 749, 773, 837; **15.** 373, 411, 438, 465, 481, 487, 607, 656, 658; **16.** 18; **17.** 631; **18.** 202, 204, 209, 234; **19.** iv-v, 98, 323, 738, 747, 772, 867, 871, 876, 877, 904, 905, 910. 929, 931, 956, 960, 961, 974, 997; **20.** 69, 71, 139, 264, 418, 487, 517, 520, 528; **21.** 34, 169, 310, 854, 1019; **22.** 93, 97, 534, 535, 537, 538, 556, 568, 602, 611, 812, 1040.
about Norfolk, Va., **11.** 262.
act of Mass. against ment'd, **13.** 248; for pardon and oblivion, **24.** 489-90; for trial for treason, **24.** 348-9, 356, 396-8; forbidding them to hold office, **24.** 683-4, 732-3; on ment'd, **11.** 606; on treason discussed, **19.** 862-865; on unlawful seizure of property, **24.** 276-8, 350-1, 398, 428-9; to allow them to return to N. C., **24.** 992-3; **25.** 102-3; to confiscate property and sell same, **24.** 123-4, 209-14. 225, 263-8, 352-3, 376-8, 424-9; to disfranchise, **24.** 376-8; to give titles to confiscated property, **24.** 730-1, 794-5; to prevent suits by, **24.** 488-9.
active, **10.** 452; **14.** xiv-xv, 675-676; **15.** 437, 557-558; **17.** vii; in Chatham, **15.** 586, 610; in Cumberland, **15.** 589-590; in N. C., **15.** 260; in the east, **11.** 551; on Deep River, **15.** 555; on New River, **14.** 162, 176.
admission of to oath, **22.** 769-70.
advice to from Cornwallis, **15.** iii.
aid against in S. C., **22.** 730; from in N. C. considered, **15.** 240-241; N. C. against Franklin, **22.** 698.
allowed to leave State, **22.** 929.
Alston asks relief from injuries of, **10.** 535, 545.
among Presbyterians, **5.** 1217.
and King's Mtn. battle, **15.** 102, 103, 105, 135, 142, 164, 165, 284, 288, 303.
and restitution of property, **16.** 751, 758, 869, 870, 876, 904-905, 914-915; **17.** v-vi, vii-viii, 3, 7-8, 21, 23, 24, 79, 125, 134, 137, 144-146, 148, 149-151.
anxious to rise in N. C., but fail, **15.** 287-288.
arms taken from, **10.** 525, 526; to be sold, **12.** 775-776, 784, 835.
arrested, **10.** 467, 468; **14.** 870; in Wilmington, **16.** 968-969, 972, 973.
Ashe on movements of, **11.** 546.
ask for pardon in Orange and commendation, **16.** 276-277; permission to leave Wilmington, **13.** 387; to pass over to British, **11.** 596-597; terms, **22.** 214.
assassinate patriots, **10.** 664.
associate with Scotch, **14.** 544.
assurances from, **15.** 284.
at Lynch's Creek, **14.** 532, 534.
attacked by Hawkins and dispersed, **15.** 487-488; in Surry Co., **14.** 790.
attempt to repeal acts against, **21.** 505.
banishment of, **18.** vi-viii, 138-139, 213-217, 428, 477, 479-480, 482.
battles with, **19.** 956, 960, 961, 962, 963, 966, 968, 971, 972, 973, 974, 975, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 996.
best way to silence, **15.** 605.
bill concerning, **20.** 131, 132, 134, 199, 200, 201, 202, 210-211, 214, 220, 239-240, 300, 309, 379; dealing with confiscated estates of, **19.** 317, 323, 327, 339, 344, 348, 349, 354, 355, 356, 357, 366, 367; for attainder, treason and pardon, **19.** 18, 19, 39, 75, 122, 127; for reward for, **19.** 431, 451, 470, 486, 769, 791, 796, 810, 828; on, **12.** 94; on estates of, **19.** 178, 182, 186, 193, 194-195, 199, 206, 210, 215, 216, 218, 222, 223, 226, 227, 228, 293, 299, 300, 302-303, 305, 307; relating to confiscation acts, **17.** 659, 660, 671, 687, 740, 748, 752, 759, 764, 769, 774; to carry confiscation act into effect, **13.** 835, 863, 870, 872, 888, 897-898, 930, 962-963, 974, 977, 989, 991-992; to confiscate estates of, **12.** 175-176, 195, 196, 222, 223, 228, 229, 233, 249, 264, 346, 365, 371, 377, 402, 410, 411, 412, 424-425, 433, 442; **13.**

356, 567, 578, 584, 586, 595, 612-613, 668-669, 670, 696, 701-702, 715, 721; **17**. 818, 824, 825, 866, 903, 906, 910, 914, 925, 930; to disqualify, **17**. 356, 360, 383, 400-401, 414, 415; **20**. 61, 71-72, 105; to describe, ascertain and impose disqualifications on, **19**. 455, 472, 479, 767, 798, 799, 812, 814, 822; to forbid them to hold office, **19**. 212, 226, 343; to forbid return to State, **19**. 624, 650, 654; to indemnify those who have executed T., **17**. 827, 835, 864-865, 916, 957, 965-966, 968; to pardon, **19**. 193-194, 221, 228, 320, 323, 356, 360; to remove disabilities of, **19**. 444, 467, 479, 768, 782, 791, 822; to repeal act on allegiance and remove disabilities, **20**. 499, 501, 504, 506-507, 511, 555, 575, 588, 590; **21**. 321, 346, 394, 674-675; to repeal acts against, **21**. 36, 38, 53, 57-58; to repeal confiscation act in certain cases, **13**. 763; on confiscation of lands of, **18**. 399, 803; to sell confiscated property, coms'rs for, &c., **19**. 57, 62, 68, 80, 84, 89, 90, 115, 120, 126, 127.
black list for Mass., **22**. 767.
break out in Tryon Co., **15**. 220.
Burke on reception of returning T., **16**. 187, 188; on treatment of, **15**. 498; to assem. on war with, **22**. 1036.
called to arms by Cornwallis, but inactive, **15**. 278-279; by Craig, **15**. 511, 513.
capture Cross Creek, **22**. 1047; Ninety-Six, **22**. 183; Whigs, **16**. ix; **22**. vi.
captured, **14**. 522, 784, 785; **15**. 471; **22**. 183; at King's Mountain, **15**. xii; to be returned to N. C., **14**. 319.
case of, **16**. 662.
Caswell on, **13**. 140; on arrival of in Wilmington, **13**. 64-65; to Sumner on, **14**. 150, 151.
cause of increase of, **16**. 317.
character, **15**. 299.
collected for invasion of Va., **15**. 110.
come to terms in Bladen, **22**. 548, 549-50.
commissioners on estates of, **12**. 57-58, 59, 68; elected, **19**. 119, 122, 123.
committee to consider apprehension of, **10**. 935-936, 939-940.
complain of patriots and treat prisoners kindly, **22**. 550.
confiscation act criticised in Mecklenburg Co., **14**. 345-347.
conspiracies of, **11**. xviii-xix, 603.
Cont. Cong. sends preachers to, **22**. 515.
corn belonging to, **14**. 445.
Cornwallis on execution of, **14**. 733-734; on value of, **15**. 257; reports on activity of in N. C., and instructions to, **15**. 252.
council on line of conduct towards in Surry and its decision, **15**. 123-124.
county courts to compel them to observe law, **12**. 775, 778, 811-812, 832, 838-839, 877.
courtmartialed, **15**. 373.
Craig complains of cruelty to, and answer, **22**. 1023-5, 1026-9.
cruelties on, **15**. 306-307.
danger from feared, **11**. 342.
defeat Crawford, **16**. 627.
defeated, **14**. 427, 428, 617-618, 621, 622, 647, 713, 772; **15**. 6-7; **17**. 979, 1000; at King's Mtn., **14**. 786; at Mask's Ferry, **14**. 611-612; at Moore's Creek, **10**. 482, 483-484; **11**. 286-287, 289-290; at Shallow Ford, **14**. 421, 428, 429; by Rutherford, **14**. xiii, xiv; by Davie, **14**. 614; by Kolb, **14**. 609-610; in Del., **14**. 565; on Broad River, **14**. 507; on Catawba, **15**. 20.
defend Ninety-Six and Augusta, **15**. 481.
defense of dangerous, **16**. 720.
depredations in Randolph, **16**. 203-205.
desert homes, **14**. 528-529.
desire to return to N. C., **14**. 303-305.
disarmed, **10**. 546, 556, 828; in N. Y., **10**. 449.
discharged and then defeated, **15**. 665.
dispersed, **19**. 885.
disqualification on, **24**. 89.
disturb Germans, **8**. 760-761.
drafted in Duplin, **15**. 490.
driven from Bladen, **14**. 684.
Dunn and Booth seized, **19**. 898-903.

effects of Burgoyne's surrender on, **13**. 263.
elated over fall of Charleston, **14**. xii-xiii.
embody, **22**. 181-2, 183, 185, 189, 190, 191, 194, 195-8, 205, 208, 213, 221; and defeated, **15**. v; in Orange, Guilford and Chatham, **22**. 923; in Surry, **11**. 372; **22**. 755; must be prevented, **15**. 326.
encouraged by capture of N. Y., **10**. 819.
enlist in Cont. Army, **14**. 728.
enlistment of considered, **16**. 229-231, 235.
escape jail, **15**. 70.
estates inventoried, **10**. 972, 1002; **11**. 308; to be valued, **10**. 643.
evacuate posts on Pee Dee, **15**. 11.
exchange of causes anger, **16**. 318; proposed, **17**. 668, 788-789, 792.
excite Indians, **16**. 692.
excluded from benefits of const. act, **24**. 75.
executed, **16**. 511; **22**. vi; at Gilbertown and results, **15**. 103-104, 109, 110, 111.
expedition against, **10**. 340-341, 356, 566, 640, 704, 948, 972, 1002, 1035; **11**. 299, 300, 302, 536; **14**. iii-iv; **16**. 538, 540, 541, 543, 544, 548, 557, 558, 560, 561-562, 583; **22**. 730, 731; proposed, **15**. 640.
expelled from N. C. and Ga., **17**. 13, 14.
expulsion considered, **16**. 199; **17**. 143.
fail Cornwallis in western N. C., **15**. x.
fail to rise, **15**. iv.
Fanning put in command, **22**. 194-6.
Fanning's narrative, **22**. 180-239.
favors asked for, **11**. 816-817.
feeling and terror among in N. C., **15**. 276; of N. C. on, **24**. iv.
fights with, **22**. 97, 98, 99, 100, 101, 102, 103, 105, 108, 109, 110, 113, 114, 116, 119, 121, 123-4, 125, 126, 127, 128, 129, 130, 131, 133, 134, 135, 136, 138, 139, 140, 141, 144, 145, 146, 147, 149, 151, 152, 153; with Marion at Georgetown, **14**. 746.
flee from Norfolk, **11**. 353.
forbidden to return to N. H., **13**. 340.
forced into the service and then desert, **15**. 504.
forces in S. C., **14**. 506, 517.
fortunes, **17**. 138, 140; at King's Mtn., **15**. 134; considered by Hooper, **16**. 932-937, 941, 944, 946, 948, 950, 951, 952, 956, 957, 963, 964, 965, 966, 968, 976, 980, 982, 986, 990, 991, 992, 993, 995, 997, 998, 999; **17**. 123-131, 134-135, 144-158.
gather in S. C., **14**. 538.
give little help to Br., **17**. 1012; troubles in Md., **11**. 378, 379.
go out in war with Cherokees, **10**. 784.
goods inventoried, **10**. 881; seized and sold, **15**. 213; to be sold, **12**. 217, 397-398.
grievances of, **18**. 560-566.
hanged after act of oblivion, **22**. 199.
harshness against, **15**. 554.
headed off at Corbett's Ferry, **15**. 788.
Hogg sent against, **15**. 548.
horses and stock seized, **15**. 627; sold, **11**. 348; **13**. 598, 707, 708.
houses burned by patriots, **15**. 627.
humanity to be used in removing families of, **16**. 181-182, 188.
in Anson, **10**. 727; **11**. 655.
in battle of Camden, **15**. 269.
in Beaufort, **15**. 16-17.
in Bladen Co., **14**. 383-384, 388, 653; **15**. 423; **22**. 608.
in Burke Co., **14**. x, 132-133, 321.
in Campbelton, **22**. 566-7.
in central N. C., **15**. 99.
in Chatham and Randolph cos., **14**. 376, 381-382, 385, 388, 391.
in Cumberland Co., **11**. 534-535.
in Deep River country, **17**. 1011.
in eastern counties, **14**. 184.
in Ga., **11**. 707, 709; **14**. 270; **17**. 980, 988.
in Guilford, **10**. 727.
in Haw River section, **14**. 620; **15**. 778.
in Johnston Co., **10**. 611.
in Newbern, **22**. 565, 568-9.
in N. C., **15**. iii, iv, 309; **17**. ix, x.
in Orange, **22**. 557, 568.
in Pa., **22**. 973.
in Randolph and Deep River, **15**. 460, 464.
in Rowan, **12**. 862, 863; **14**. 616.
in S. C., **11**. xii; **14**. 270; **22**. 543.
in Surry Co., **14**. 667, 782; and defeated, **14**. 698-699.

in the Jerseys, **13**. 333.
in Tryon Co., **14**. 261-262.
in western counties, **14**. 27, 31.
in Wilmington, **14**. 854.
inactivity of, **15**. iv.
incited in western N. C., **15**. ix.
inducements to in N. Y., N. C., and Ga., **9**. 1165.
insurrection of, **13**. 218; encouraged by Martin, **11**. 283; in S. C. suppressed, **11**. 264-265, 267, 273.
intentions considered, **11**. 541.
intimidated in N. C., **15**. 82.
invade N. C., **14**. 609; Va., **14**. 99.
join Br. at Charlotte, **14**. 780; in Va. and damage by, **15**. 560, 561.
joined by regulators, **10**. 803.
justices to seize, **13**. 619, 620, 734*e*-734*f*, 734*k*.
kill Pasture and embody, **15**. 467.
killing of considered, **17**. 399-400.
lands and property confiscated, **17**. 865, 866; and sold, **18**. 523, 602, 603-604; not sold, **18**. 401.
law proscribing, **11**. 769-773.
leave the country, **11**. 550, 552, 553-554, 633-634, 640, 646-647, 655, 656, 659, 687, 743, 753, 765, 776, 790, 798; **13**. vi; property confiscated, **13**. 368.
liberty of movement to, **22**. 908.
light horse to oppose in Guilford Co., **10**. 761-762.
list of in Craven, **13**. 446; of T. attainted in Ga. sent out, **16**. 840, 864, 877.
live among Indians and excite them, **14**. 246.
location, **22**. 543.
made so by harsh treatment, **15**. 511-513.
many in Pa., **11**. 642.
Marion makes treaty with, **16**. 182-183; armistice with considered, **16**. 217-219.
Martin on merits of those driven from N. C., &c., **11**. 765-768; on position of in N. C., **22**. 616-18; proclamation to, **16**. 977, 978-979, 980, 982, 983, 992, 998-999; of pardon to, **17**. 1049-1050.
mercy to recommended, **16**. 4.
met by Wade, **14**. 865.
militia of organized by Cornwallis, **15**. 249-250, 251, 256.
mobs of about salt, **11**. 560-561, 603, 630.
money to be paid to State, **12**. 658-659.
Moore to Harnett on defeat of, **11**. 283-285.
more than number of Amer. troops, **17**. 990-991.
movements against, **16**. 42-43.
movements of, **14**. 542, 646-647, 649, 651-653, 683, 712; **15**. 369, 496, 655; **22**. iv-vi, 543, 544, 546, 548, 549, 553, 570-1, 575-6, 582, 584, 585, 593, 1029; about Cross Creek, **11**. 554-555; and threaten Cape Fear, **11**. 538; in S. C., **14**. 514-515.
no muster rolls of in Br. P. R. O., **14**. 869.
no suits to be brought against, **24**. 488.
N. C. tories in N. Y., **13**. 478.
not all regulators turn T., **10**. xxvii.
not allowed to come in from Va., **22**. 913; to return to No. Car., **16**. 418, 422, 714-715; **17**. 10; to Va., **16**. 841; to vote, **17**. 375.
not included in provision for those taking paroles, **24**. 395, 490.
not quieted by Moore's Creek, **11**. xvii-xviii.
not retaliated on, **15**. 634.
not to become citizens, **24**. 492.
number at the Waxhaws, and defeated, **14**. 776; to join Br. army, **15**. 55; in lower counties (of Delaware?), **11**. 781; in Wilmington, **22**. 537, 539.
numerous in Bladen, **24**. 474; in N. C., **17**. 1001.
of small value for distant service, **15**. 264.
on Haw River, **22**. 1047.
on Hogan's Creek, **14**. 648.
on Lynch's Creek, **15**. 19.
on Tiger and Enoree rivers, **15**. 258.
operations against in S. C., **15**. 178-179.
opportunity of attacking lost, **11**. 301.
ordered to move, **11**. 730; into Va., **15**. 537.
orders to troops sent against, **14**. 385.
ordinance denies rights of the law to, **23**. 985.
organized by Craig and Fanning, **16**. viii-ix; for invasion of N. C. and Va., **15**. 132; in S. C., **15**. 263-264; under McDowell, **10**. xii.
outrages of, **16**. 565-569; at Sprawl's

Ferry, **22**. 1044-6; in Bladen, **22**. 1043-4; on Cape Fear, **22**. 1042.
pamphlets of distributed, **10**. 360.
pardon of, **14**. 482; **16**. 589, 590, 591; **22**. 576; by State with exceptions, **16**. 850-851; considered, **22**. 1048; offered to, **22**. 211-12; promised to in Surry Co., **15**. 124; recommended, **15**. 151-2; **16**. 775; **19**. 135; 136, 242, 245-6, 247, 260, 263; suggested, **14**. 459.
paroled, **13**. 255; **14**. 437.
payment asked for damages by, **10**. 950.
petition in behalf of, **16**. 191-192; for pardon, **22**. 612; for wives and children, **16**. 467-469.
plunder of in Phila. promised the soldiers, **11**. 644-45.
plunder S. C., **15**. 348, 349-350.
position of in N. C. discussed by Burke, **16**. 9.
precautions against, **16**. 569, 572.
prisoners, **14**. 463, 582, 679, 780; **15**. 11; threatened, **14**. 744-745; sent to Phila., **11**. 293-295; to be sent to Newbern, **14**. 697.
proclamation to by Cornwallis, **17**. 1007-1008.
promises from in N. C. and their failure, **17**. 1015-1016, 1018, 1021, 1026.
property confiscated, **12**. iv; **18**. 695; **19**. 751, 772; **20**. 581, 950; **21**. 1069; and banished, **17**. 144, 149, 151; restored to those who enlist, &c., **17**. 865-866, 918, 924; seized, **10**. 880; sold, **16**. 796-797, 798; **18**. 574; sold in Bladen, **12**. 552, 554; sold in Ga., **13**. 69; to be sold, **12**. 555.
propose armistice, **16**. 206-208.
provisions taken from, **14**. 720, 737, 741, 742; to be seized, **14**. 469.
pursuit of, **15**. 173.
raised in S. C., **15**. 250, 251, 257.
ravages in Randolph and other counties, **17**. 849, 850, 853-854, 860, 913, 946, 949, 955-956, 959.
ready to return to their allegiance, **14**. 712.
received on the Jenny in Cape Fear River, **10**. 735.
recruited from regulators, **8**. xxxiii-xxxiv, 653.
report on, **11**. 558; **16**. 210-213, 217, 236, 244, 245, 246, 250, 251, 260-261, 284, 349, 409, 467, 481, 487, 500-501, 552, 553, 569, 572, 579, 586, 663, 716-717; on confiscation, **18**. 168-170, 192, 195, 198, 235, 283, 332, 419, 427; on doings of, **11**. 548-9; **15**. 612-13; on French fleet, **14**. 661; on in S. C., **15**. 397; on prisoners taken by, **22**. 571-2; on trial of, **16**. 345-346; on troops, **17**. 1009, 1026, 1027.
reported at Raft Swamp, **15**. 525-526; quiet, **11**. 554.
reprieved, **19**. 914-915.
resolve on disarming of, **13**. 617, 643-645, 647, 733; on removal of, **15**. 388.
retreat from Camden, **17**. 1033.
return home, **22**. 776; to patriots, **16**. 183; to their allegiance, **16**. 399; to Va., **13**. 492; to Wilmington, **16**. 560-561.
rise of, **16**. vi; in N. C., **14**. 866-867; on the Yadkin, **14**. 867-868; **15**. 256, 265; threatened, **11**. 393.
rob, **14**. 775; Balfour's family, **17**. 292-293.
route Gorum, **15**. 456.
scared by Marion, **14**. 666.
seized as reprisal for Amer. prisoners, **16**. 417-19.
sent to England, **13**. 299; to Halifax, **14**. 415; to Hillsboro, **14**. 671; to Staunton, Va., and return, **11**. 607.
sentenced to death and pardon asked, **16**. 777.
settlements, **22**. 596.
should be disarmed, **11**. 540-541; set free, **14**. 448.
sign test and association, **10**. 666.
silent in N. Y., **9**. 1279, 1280.
slaves confiscated in S. C., **24**. 954.
South Carolina asks for list of those banished from N. C., **16**. 858, 878.
stirred up by British, **14**. iii.
stock of to be seized, **15**. 632.
strength in N. C., **14**. 849.
submit to Wade and treatment, **14**. 750-751.
sufferings, **22**. 198-9, 212-13.
Sumter reports on operations against, **14**. 541-543.
superintendence of, **15**. 248.
supplies captured from, **14**. 875-876.
supply Br. with provisions, **15**. 487.
suppressed by State and truce with in S. C., **16**. ix-x, xi.
surrender, **16**. 477; in Bladen and

Cumberland proposed, **15**. 542-543.
take oath of allegiance, **10**. 826, 827; **22**. 503, 506; powder, **10**. 602; prisoners, **14**. 669, 783; **22**. 585; refuge with those under neutrality in S. C., **16**. 283.
Taylor to quell in Chatham, **15**. 413.
terms should be offered to, **14**. 720.
threaten Cumberland and Anson, **10**. 669-670; eastern counties, **15**. 591; provisions, **15**. 457; to take cattle, **16**. 553; to join Indians, **10**. 732; to overrun Duplin Co., **15**. 593; upper S. C., **14**. 823; Wilmington, **11**. 546; and Cross Creek, **15**. 413.
to be armed by negroes, **15**. 323, 324.
to be aroused in N. C., **15**. 275, 282.
to be arrested and brought to N. C. for trial, **15**. 390.
to be attacked, **19**. 867, 871.
to be attainted, **22**. 603-4.
to be defeated, **14**. 464.
to be delivered by Cherokees, **16**. 710.
to be disarmed, **10**. 158.
to be exchanged, **16**. 684, 686, 687, 694, 699, 701-702, 708; for citizens, **19**. 98-99, 103, 105.
to be expelled from Wilmington, **16**. 918.
to be pardoned, **17**. 1, 3.
to be reduced, **16**. 689-691, 693.
to be removed from N. C. under treason act, **24**. 11, 86-89, 213, 267, 329.
to be treated as prisoners of war, **16**. 269, 270.
to enlist, **16**. 511, 522.
treatment, **16**. 513-515; **17**. 181, 186, 188; in N. C., **15**. 266; of prisoners, **14**. 765.
trial and reprieve of, **16**. 263, 266-269, 270.
troops sent against, **14**. 786; in S. C., **10**. xi.
trouble from, **22**. 537; in Surry, **14**. 692.
try to bribe Americans, **17**. 157; to kill Burke, **16**. ix.
turn towards patriots around Charlotte, **15**. 127.
under Harrison, **14**. 856.
uprising threatened, **11**. 299, 302.
urged to rise in N. C., **15**. 273.
used by Cornwallis to invade N. C., **15**. 261.
Vance to Caswell on, **11**. 547-548.
vessel of taken by privateers, **11**. 753.
violence against, **16**. 867; by, **19**. 861, 862.
Wade on case of in Anson, **11**. 664; pursues and movements of, **14**. 674.
wagons and horses taken from, **15**. 592.
willing to surrender, **15**. 627.
with Br. in Charlotte, **14**. 674.
with Rawdon, **14**. 599.
wives and children of carried to Wilmington, **15**. 786.
See also British, Indians, Loyalists.
Torksey, Ben., in militia, **22**. 345.
Torn, Charles, cash to, **22**. 277.
Torneay, M., location, **14**. 563.
Torrance. See Tarrance, Torans, Torrans, Torrence, Torrens.
Torrance, Thomas, juror, **8**. 529.
Torrance, Thomas, juror, **8**. 529.
Torrans, ——, **8**. 43.
Torrans, Jno., gun impressed, **22**. 413.
Torrans, Thos., coroner of Dobbs, **9**. 692, 693.
Torrans, Thos., lieut. colonel, **10**. 206.
Torremore, Thos., in N. J. assem., **16**. 843.
Torrence (Torrance), Hugh, account of, **18**. 108, 112, 118-119, 122-123, 341, 346, 351.
money from, **21**. 1065.
payment to, **21**. 810-811, 815, 819, 959, 982, 985; **22**. 1013.
sheriff, **21**. 1075, 1077.
to seize negroes, **18**. 354.
Torrence's, battle at, **19**. 969, 990.
Torrens (Torrence), Eliz., act to vest estate of in trustees, **24**. 870-1, 929.
bill in favor of, **18**. 112, 146, 158, 343, 363, 369, 378-379, 380, 392; for trustee of children, **20**. 175, 178, 180, 188-189, 192, 195, 300, 347, 356.
petition, **19**. 599, 600, 647.
Torrens, Thos., **21**. 1057.
Torrens, Thos., estate vested in trustees, **24**. 870-1.
Torrens, Thomas, lands confiscated, **17**. 378.
Torrentine, Samuel, exempted, **19**. 654, 657.
Torrents Road, **14**. 776.
Tortle, Thomas, pensioned, **9**. 131, 206, 213, 214, 220.
Tortola (Tartola), **13**. 95.

Tortuga (Tatuga), salt from, **5.** 317, 322.
Tory. See Tories.
Tory Brig, Brimage on, **11.** 539, 543.
Tosneat. See Toisnot.
Tosneat Swamp, 23. 287.
Tosonta, 17. 586.
Tossit, Thomas, 16. 264.
Toten, Pearson, in militia, **22.** 415.
Toter, Paul, army pay, **17.** 253.
Totevine. See Toatvine, etc.
Totevine, Coleburn, army pay, **17.** 252.
Totevine, Frederick, act to change name to Lane, **24.** 640-1.
Totevine, Mary, 24. 640.
Totevine, Simon, arrested for fraud, &c., **18.** 21-22, 36, 68, 85, 95, 96, 102, 162, 251, 326, 334, 384.
receives pay for soldiers, **17.** 197, 202, 207, 220, 221, 223, 233, 244, 250, 253, 254, 259, 260.
Totevine, Winder, army pay, **17.** 252.
Tothill, John, settler, **1.** 76.
Tothill, Robert, settler, **1.** 76.
Totoway, 15. 131.
Tottevaine. See Toatvine, etc.
Tottevaine, Winder, army rank, **16.** 1173.
Tottopotomog Creek, Va., 13. 49.
Touchberry, John, regulator, **7.** 809.
Touchberry, Samuel, regulator, **7.** 809.
Touchbury, Jas., juror, **25.** 189.
Touchstone, ——, sues Fanning, **7.** 802.
Touchstone, Caleb, land grant to, **4.** 1250.
Touchstone, Jonas, asks pardon for Hamilton, **9.** 39, 84-85; for Hunter, **9.** 85.
Toulon, France, 11. 352; **17.** 480, 501.
Tounley, Buckner, taxable, **15.** 192.
Tournois, 19. 646.
Tours, Wm., regulator, **7.** 809.
Tourtell, Nicholas, land warrant to, **6.** 766.
Tousiger, James, prisoner, **17.** 1046.
Tow, Chrisr., army rank, **16.** 1171.
Towatuhe, and Cherokee boundary, **7.** 852, 854.
Towe River, no lands to be granted beyond, **12.** 239.
Towel, Abm., army rank, **16.** 1173.
Tower Hill, 2. 273; **17.** 139, 140; **22.** 301.
account of bill to fix capital at, **6.** 1-3.
act to fix capital at, **23.** 485; **25.** 373-8; should be repealed, **6.** 967.
address to King on, **6.** 859-860, 875-879, 927, 930, 932-934, 946, 948-949, 953, 958.
bill for town at, **5.** 1021, 1025, 1026, 1028, 1031, 1032, 1036, 1055, 1058, 1068, 1069, 1070, 1073, 1075, 1080, 1081, 1097.
Dobbs asks and receives pay for, **6.** 927-928, 940, 959-960; to be paid for, **6.** 887.
lands claimed by Caswell, **18.** 222-223.
locating of capital at discussed, **6.** xxiii-xxv; provided for, **6.** 37.
objections to as site for capital, **6.** 834-835.
payment to Dobbs for, **6.** 1146, 1148, 1215.
Tower of London, 5. 324; **14.** 268.
Towers, Catharine, sells land, **2.** 86.
Towers, Thomas, sells land, **2.** 86.
Towkes, Ann, to Martin on wives and children of tories, **16.** 467-469.
Towl, Ambrose, army pay, **17.** 252.
Towler, Mathias, juror, **1.** 406, 407, 409.
law suit over whale, **1.** 419, 421.
Towler(?), Spencer, army pay, **17.** 253.
Town Creek, 4. 66; **16.** 497, 553; **23.** 220, 448.
Townen, James, in army, **13.** 517.
Towning, James, army pay, **17.** 253.
army rank, **16.** 1171.
Townley, Phil., army rank, **16.** 1174.
Townley, Wm., army pay, **17.** 254.
army rank, **16.** 1168.
Townley, Wm., exempted, **9.** 451.
Towns, act for taxes for benefit of, **25.** 260-1, 358-9; on **23.** 103; to encourage, **23.** 110, 127, 239-243, 338, 445, 805-10; **25.** 175-8, 191, 201-5; to establish, **23.** 73-79, 89, 97, 128, 133-135, 170-171, 238-9, 336, 346, 387, 399, 445, 479, 484, 509, 537, 592, 752, 755-6, 772-3, 773-5, 865-6, 920-2; **24.** 21-2, 247-8, 293-4, 297, 303-4, 305-6, 307-10, 458-9, 537-8, 604-5, 609-17, 773-82, 846-7, 856-7, 859-61, 875-6, 878-80, 882-3, 934-5, 944-5, 986-8, 992-3; **25.** 33-5, 49, 96-7, 161; to incorporate, **25.** 168, 206-9, 229-30, 240-2, 248-9, 252-4, 268-70, 272-3, 353-4, 367-9, 373-8, 387-9, 402-4, 451-3, 468-72, 500-503; to publish receipts and expendi-

tures, **24**. 809; to reëstablish to be passed, **11**. 125; to regulate, **23**. 111, 133-135, 136-140, 141-143, 146-149, 234-237, 304-308, 338, 340, 398, 445, 451-62, 462-7, 537, 654-6, 753, 779, 805-13, 864-5, 866-9, 892-6, 916-8, 924-5, 966-7, 974-5; **24**. 22-24, 145-6, 152-3, 180-3, 240-7, 452-4, 462, 513-17, 517-20, 618-23, 740-2, 823-4, 828-30, 832-6, 840-4, 915-25, 935-6, 976-8; **25**. 62, 105, 191, 193, 214, 239, 257-63, 358-9, 402, 453, 511-13, 515-16; to save lots in, **24**. 147, 152, 176, 241, 245, 294-5, 296, 334, 449-50, 513-17, 598, 756; **25**. 398-9, 477-8, 486-7.

bill to establish, **5**. 665, 667, 673, 675, 678, 687, 693, 698, 702, 718, 719, 726; **6**. 855, 861, 864, 865, 868, 874, 876, 880, 883, 891, 919, 923, 928, 935, 937, 940, 947, 948, 953; **17**. 285, 287, 288, 291, 297, 300, 301, 302, 303, 305, 306, 312, 315, 319, 320, 322, 327, 333, 334, 336, 338, 339, 340, 342, 346, 347, 355, 356, 360, 361, 363, 367, 369, 379, 381, 386, 392, 398, 403; **18**. 17, 18, 26-27, 30, 38, 39, 44, 46, 47, 55, 67, 90, 121, 127, 144, 167, 188, 200, 247, 248, 249, 253, 255, 256, 257, 259, 260, 265, 266, 267, 268, 276, 277, 284, 285, 291, 297, 302, 327, 338, 346, 353, 368, 373, 379, 380, 393, 394, 398; **19**. 25, 39, 154, 155, 158-159, 160, 161, 163-164, 173, 271, 272, 274, 278, 279, 281, 290, 343, 416, 419, 421, 424, 426, 434, 435, 451, 454, 457, 464, 472, 529, 530, 532, 535, 538, 539, 548, 550, 551, 552, 556, 557, 558, 563, 564-565, 571, 579, 585, 592, 595, 660, 661, 662, 735, 736, 740, 748, 754, 755, 756, 759, 760, 764, 767, 771, 772, 773, 791, 792, 796, 800, 806, 817, 819; **20**. 15, 20, 27, 30, 33, 34, 36, 39, 43, 44, 55, 56, 57, 58, 62, 70, 89, 90, 96, 138, 140, 142-143, 166, 167, 168, 172, 177, 180, 181, 198, 212-213, 317, 320, 343, 345, 346, 353, 373, 408-409, 488, 497, 503, 509, 910, 531, 532, 542, 545, 560, 576; **21**. 15, 19, 22, 23, 35, 42, 44, 45, 50, 54, 62, 77, 79, 85, 86, 100, 101, 104, 106, 117, 122, 217, 219, 220, 223, 245, 255, 261, 278, 282, 283, 287, 308, 329, 396, 582, 589, 617, 621, 630, 633, 698, 705, 715, 783, 789, 790, 813, 820, 823, 925, 942, 947, 955, 956, 957, 967, 972, 981, 987, 988, 992, 993, 996, 1002, 1011; for erection of in Hyde Co., **4**. 364, 365, 366, 367, 374, 375, 377, 380, 391, 393, 394, 396, 404, 406, 408; to prevent building houses that are nuisances in, **20**. 346-347; to prolong time for saving lots, **16**. 33, 52, 55, 64; to regulate elections in, **21**. 292; to repeal act to save lots, **18**. 326; to save lots in, **17**. 279, 303-304, 305, 328, 332, 346, 352, 362; **19**. 27, 38, 530, 535, 536, 542, 550, 558, 579, 661; **20**. 51, 78.

Board of Trade on charters of, **6**. 263.

charters necessary for certain ones to have representatives, **6**. 77.

control of under Fund. Constns., **25**. 133.

council on acts erecting, **5**. 340-341, 352.

effect of lack of on public records, **4**. 423-424.

erection of considered, **6**. 985-986.

establishment by assembly considered, **6**. 752-753.

government of, **1**. 202.

impossibility of, **1**. 100.

instructions on charters, **6**. 559-560; on erection and rights of, **5**. 1106, 1111.

laid out by Pollock, **2**. 386-387.

laws established reënacted, **5**. 659-660.

multiplicity of deprecated, in Va., **1**. 313.

number, **4**. 1152, 1164, 1165.

opposition of Proprietors to, **1**. 51.

property in, **20**. 398.

proposition to vote by in Prov. Cong., **10**. 917.

protest against repeal of acts erecting, **5**. 297, 301-303, 305-306.

regulations for, **1**. 92.

repeal of acts for erecting suspended, **5**. 326-328; discussed and new ones proposed, **5**. 397-399, 404-407.

represented in assembly, **23**. 79, 133, 140, 251, 398, 525, 980.

rights and regulations of, **7**. 473; in matter of representation, **6**. xxvii.

settlements in preferred by P., **1**. 229, 231.

should be erected by King, **5**. 92.

to be built in C., **1**. 210.

to be erected by King, **5**. 113.
See also under names of Towns.
Townsend (or Townshend), Lord Viscount, Gov. Craven to on Yemassee war, **2**. 177-179.
at council, **2**. 680, 732.
Heathcote to on the French and the Indian wars, **2**. 190-191.
letter to ment'd, **2**. 187.
Townsend, Lord Charles, 9. 830.
Townsend, Chansey, buys land of McCulloh, **6**. 574.
property confiscated, **19**. 672; **24**. 264, 424.
Townsend, Edward, to Newcastle on a proposed charter, **3**. 498-499.
Townsend, Solomon, in militia, **22**. 276.
Townsend, Solomon, in militia, **22**. 387.
Townsend, Thos., in militia, **22**. 276.
Townsend, Thos., in militia, **22**. 387.
Townsend, Thos., on Tryon, S. C., **10**. 424.
Townsend, Thos., pay to, **22**. 471.
Townsend, Thos., signs test, **10**. 297.
Townsend, Wm., quit rents of, **22**. 254.
Townsend, 8. 605.
Townshend, Mr., 16. 868.
Townshend, Vice Admiral, 5. 756.
Townshend, Viscount, at Privy Council, **11**. 212-215.
Townshend, Charles, at Board of Trade meeting, **4**. 1028-1030, 1225-1230, 1235-1237; **5**. 28-29, 166-172, 1001-1007.
attends Board of Trade on Johnston charges, **4**. 930.
charges against Johnston, **4**. 938, 939.
instructions on S. C. boundary, **11**. 152-153.
reports on affairs in N. C., **4**. 933.
to Rowan on his administration, **5**. 25-26.
to King on docking of entails, **6**. 972-973.
Townshend, George, death, **7**. 516.
Townshend, Richard, Bladen to on a general government for the colonies, **2**. 625-635.
Townson, Wm., army pay, **17**. 252.
Toxa, John, in army, **13**. 510.
Toxey, Nathl., army rank, **16**. 1174.
Toyles, James, a J. P., **4**. 1239.
Trab, 1. 985.
Tracey, James, army pay, **17**. 252.
Tracey, Jno., army rank, **16**. 1172.
Tract No. 1, 6. 996, 997.
census to be taken, **7**. 278.
population, **7**. 451-452.
Tract No. 3, 6. 996, 997; **7**. 6, 12, 34, 1004.
census to be taken, **7**. 278.
land sales in, **7**. 530.
population, **7**. 451-452.
Tract No. 4, 7. 18.
settlers on, **7**. 277.
Tract No. 6, surrendered in part, **7**. 534.
Tract No. 7, 6. 533, 534, 535.
settlers on, **7**. 277.
Tract No. 8, 6. 570.
settlers on, **7**. 277.
size, **6**. 574.
Tract No. 9, 6. 570, 571.
size, **6**. 574.
Tract No. 10, 6. 570, 571.
size, **6**. 574.
Tract No. 11, 6. 533, 534, 535.
size, **6**. 574.
Tract No. 12, 6, 570, 571.
size, **6**. 574.
Tracts, distributed, **1**. 712; **2**. 75; **3**. 624; **4**. 753; **6**. 265.
need of, **6**. 595.
sent to Reed, **6**. 1047, 1061.
to be distributed, **6**. 231.
wanted, **7**. 192-193.
Tradder, Geo., army rank, **15**. 721; **16**. 1172.
Trade, act against with negroes, **23**. 868-9; with slaves, **24**. 220-221, 497; act for, **1**. 117-118, 141; **23**. 89-90, 103; **24**. 318-20, 354; **25**. 137; discussed by Board of Trade, **8**. 265; for Bd. of Coms'rs of, **24**. 322-4; for inspection of exports, **23**. 380-381; to be enforced in C., **1**. 704-705, 706; for U. S. to regulate with foreign nations, **24**. 561; of Parlt. to restrain converts N. Y., **9**. 1247; on in force in N. C., **25**. 153; on navigation, **24**. 402-4; on proving book debts, **23**. 131-132, 335; on time of payment in staple commodities, **23**. 55; on to be altered, **8**. 57; to amend navigation act, **23**. 328, 588-9; to regulate, **23**. 352-5, 402-417; **24**. 103-4, 215-17, 401-2; in Bath Co., **23**. 111; to regulate pilotage, **24**. 124-8, 167-8, 218, 502-8, 586-93; to regulate with Indians, **23**. 2, 88, 95, 333; **24**.

188-9, 509; **25**. 121-2, 356-8; to restrain t. of N. J., Pa., Md., Va., and S. C., **10**. 109-112, 113.
address of Cont. Cong. to Gr. Brit. on, **10**. 76-77, 80-81, 82, 83.
advantages to Great Britain from trade of colonies, **2**. 626, 627-628.
all to be cut off with loyalists, **10**. 336.
allowed by C. C., **10**. 369.
amount of, **4**. 258.
and new revenue system of U. S., **21**. 553, 563.
armed vessels to protect, **10**. 584.
association not to trade with Gt. Br., **9**. 1101, 1102, 1103, 1113.
association of Cont. Cong. signed by Prov. Cong., **10**. 171.
between U. S. and Gr. Br. encouraged and restrained, **16**. 811-813, 837-838, 840-841, 851, 857-858, 861-863, 866, 882-885, 895, 900-906, 915-916, 919, 925-926; **17**. iii, 20, 25, 30, 35, 44, 48, 51, 64, 125.
bill for C. C. to regulate with foreign nations, **19**. 545, 552, 558, 561, 566-567, 568, 569, 574, 588, 589, 591, 607, 644, 660, 678; to incorporate, **21**. 762, 813, 912, 915, 972; to promote, **3**. 637, 638, 641, 642.
bonds to be given for deputy govs., **1**. 476, 477.
character, **2**. 419, 420; **4**. 933, 939-940; of vessels employed, **3**. 614.
colonies cut off from, **10**. 58; from t. of Gt. Br. and W. I., **10**. xv.
commissioners, settlement to be made with, **17**. 638, 641, 704, 721-722, 723-724, 725-726, 728.
conditions, **3**. 430; **5**. 1-2; and remedies, **3**. 155-156; in America, **1**. 439-442.
confined to Eng., **1**. 225.
considered, **8**. xlvi-xlviii; **17**. 38; **19**. 498; **21**. 499; in connection with French aggressions, **5**. 466-467.
control of by C. C., **16**. 885; desired, **17**. 28-29; by S. Com., **10**. 414, 415; by U. S. proposed, **17**. 63-64.
controlled for England, **2**. xviii.
crippled, **3**. 549, 569, 609, 622.
dangers to from S. C. line, **7**. 155-156.
direction given to by war, **13**. iv; of, **3**. xv-xvii.
disadvantageous to N. C., **3**. xvii.
discouraged by exorbitant fees, **3**. vii-viii, 262, 267, 269, 308; **4**. 824.
discussion on, **1**. 691; **9**. 361.
diverted to S. C., **7**. 695-696.
Dobbs's report on, **6**. 968-969.
drawbacks to, **2**. xiv, xv.
duties of customs officers, **1**. 499-501.
efforts to suppress illegal trade, **14**. 252.
encouragement of considered, **6**. 1261, 1262.
enumerated articles, **1**. 499.
Everard on obstructions to in N. C., **2**. 761-763.
extent, **2**. 155.
favors granted to, **7**. 217-218; to N. C. in, **9**. 1208; to N. C. rejected, **10**. 244.
foreign, of R. I. and Conn., **5**. 477.
fostered by agent, **6**. viii.
frauds in, **1**. 243, 244-246, 492, 527; **6**. 1020-1022, 1023, 1319; **7**. 491-492, 497-498; by Spaniards, **4**. 1301, 1304, 1308; detected, **7**. 159; helped by rivers as dividing lines, **7**. 156; in proprietary gov'ts, **1**. 630-3.
free ports in France for U. S., **17**. 40, 70-71; **19**. 951.
freedom of, **1**. 26-27, 107-108; for Cape Fear colony, **1**. 45.
French try to ruin, **5**. 221.
galleys for protection of, **10**. 973, 981.
goods imported contrary to resolution, **10**. 476.
harm to from ruin of S. C., **1**. 640.
high prices paid by N. C., **2**. 287.
hindered by character of courts, **1**. 157-158.
hindrance to discussed, **9**. xx-xxii.
Holden on, **1**. 663-664.
illegal, discussed, **5**. xliv; report on, **6**. 1038; forbidden by proclamation, **16**. 424-425; in Newbern, **16**. 681-682; with British suppressed, **16**. 343-344, 356-357, 400-401.
impediments to, **6**. 1027-1028, 1030-1032.
inconsiderable, **4**. 156.
increase of, **5**. 390.
influence of war on, **1**. 151.
injured by British, **10**. 455; by bad faith to creditors, **4**. 754; by paper currency, **5**. 588.
injury to in prop. colonies, **1**. 553.
instructions on, **1**. 853; **6**. 624; **7**. 148.

lack of ports for, **2**. xii.
law against frauds to be enforced, **7**. 95-96; discussed, **5**. 392; ment'd, **5**. 106; to be enforced, **1**. 477.
limitations on in Wilmington, **10**. 389.
lines of, **8**. v.
Martin on, **9**. 324.
memorial on considered by assembly, **5**. 283-284; ment'd, **5**. 331; to Board of Trade on, **5**. 321-324.
nativity in, **1**. 440.
naval officers to give security against frauds, **1**. 492.
needs of discussed by Burrington, **4**. 169-173.
N. H. and Mass. on regulation of, **17**. 571-576, 592-593.
no help expected to N. C. from restraining act, **10**. xxviii-xxix.
no law regulating and none authorizing seizures, **12**. 153-154, 158, 316, 320-321.
not allowed from Wilmington, **10**. 345; with French America, **3**. 116-117.
N. C. not to be bribed by favors in, **10**. 12, 22.
of Beaufort, **11**. 633.
of Cape Fear, **4**. 6, 16.
of colonies to be restrained, **9**. 1208.
of Great Britain with foreign countries, **2**. 628.
of Indians disturbed, **11**. 192, 193.
of N. C. and S. C. should be distinguished, **7**. 696.
of Royal African Co., **3**. 154-155.
of S. C. with Indians, **11**. 223.
of the Plantation, **2**. 155-156.
of Wilmington regulated by S. C., **10**. 151; stopped, **10**. 334.
officers for regulation of needed, **5**. 396.
penalty for frauds, **1**. 497, 499, 500.
petition for encouragement of, **4**. 499.
pilot and beacon acts for encouragement, **3**. 184, 191, 193.
prejudice to in proprietary colonies, **1**. 539-540, 542-543.
principally with Va., **4**. 1217.
prohibited with colonies, **11**. 288.
proposition to stop with Gr. Britain, **9**. 1034, 1035, 1038, 1040, 1045-1046, 1048.
protection for needed, **5**. 597, 598; discussed, **11**. 623-625.
Randolph on enforcing laws of, **1**. 461, 462-463, 464-470.
reasons why N. C. was exempted from restrictions, **10**. xv-xvi.
regulation of by Council of Safety, **10**. 690-691, 694, 707; by U. S., **18**. iii, 496-502, 527-534, 535, 536, 542-543, 556-560, 580-581, 584-585, 587, 650, 654-5, 658, 659, 660, 661, 681-684, 688, 692, 736-740, 772-773, 788-789, 791-793; for advantage of England, **2**. 628-629; of Indian t. demanded, **11**. 185.
report on, **3**. 369; **4**. 16; **5**. 317-320; **6**. 611-612; to be made on, **5**. 1117-1118; to be sent to Board of Trade, **3**. 315-316.
resolutions of C. C. against, **10**. 12, 15, 20, 54, 68, 113, 127, 141, 144, 151, 158, 179, 183, 186, 226, 244, 245, 262, 355, 414, 415, 417; on t. of N. C., N. Y., &c., **10**. 411; on the exception of N. C., **10**. 113.
resources of N. C. for, **4**. 172.
restraints of injure Barbadoes, **1**. 149-150.
restrictions on, **5**. xlvi; **10**. 67; to be repealed, **10**. 455.
revision of laws on needed, **6**. 1032-1035; to be made, **7**. 194.
seizures for violations of considered, **10**. 272.
should be encouraged, **3**. 115, 541-542, 551-552, 564-565, 571; **4**. 78, 79, 82, 84, 120, 228, 231, 357, 358, 386, 1332; **5**. 214, 216, 235, 236-237, 238, 298.
S. C. gives U. S. power to regulate, **17**. 43-48, 67.
stagnation in, **7**. 154.
staple commodities rated, **23**. 54-55.
stoppage of discussed, **11**. 246, 248.
to be improved, **2**. 489-490; permitted, **7**. 168*f*; protected by armed vessels, **10**. 352; turned from N. E., **1**. 232.
trouble over with Va., **11**. 391-392.
unsettled, **3**. 29.
vessels condemned for frauds in, **7**. 548; allowed to proceed on, **10**. 262.
vice admiralty cts. increased to collect penalties in, **11**. 216-219.
violations of to be inquired into, **1**. 889-890.
Va. anti-N. C. tobacco law contrary to, **3**. 196, 210-211.

Va. sends trader to Tuscaroras, **1**. 836-837.
way to improve, **2**. 165-166.
with Br. W. I., **19**. 495.
with Cape François proposed, **16**. 332.
with Charleston, **5**. 356.
with Cherokees, **10**. 658; discussed, **11**. 196, 205.
with enemies to be hindered, **3**. 116; to be prohibited in war times, **5**. 1139-1140.
with Europe considered, **19**. 564.
with foreign countries, **5**. xlii-xliii.
with France, **11**. 358-359, 361, 526, 735; **16**. 883; and Martinico, **11**. 436; should be encouraged, **15**. 366; unprofitable, **2**. 628.
with Great Britain, **16**. 799.
with Holland, **11**. 398-399; **16**. 785-6, 883.
with Jamaica to be established, **2**. xvi.
with Indians to be free, **1**. 383; prohibited, **1**. 808, 811, 812-813; **2**. 247.
with Madeira, **10**. 1037.
with Mass., **10**. 976.
with N. E., **2**. 132, 396, 397, 562.
with Portugal desirable, **5**. 574.
with servants and slaves forbidden, **2**. 96, 114; **23**. 64, 194, 868-9.
with Spain, **16**. 866, 895-6; **22**. 900, 902.
with Spanish America coveted, **2**. 635.
with Spanish Mexico, &c., **6**. 1320.
with Va., **3**. 609, 621-622; favorable, **5**. 333.
with W. I., **7**. 201-202; **9**. 319, 320; **10**. 821, 969, 976; **11**. 634; **14**. 299-301, 592; and Teneriffe, **11**. 545; not arrested, **15**. xiii; prohibited, **16**. 730.
workings of, **3**. xv-xvi.
See also Customs, Duties, Indian Trade, etc.

Trade and Foreign Plantations, Board of, established, **1**. 222-224.
coms'rs of, report to on N. C. bills, **25**. 237-9.

Trade and navigation acts, 25. 118.
enumerated, **1**. 496-497.
enumerated articles, **1**. 499.
governors not allowed to trade by, **1**. 530-531; to enforce, **1**. 556; to give security for execution of, **2**. 50-51.
instructions on, **1**. 496-504; **3**. 86, 87.
Privy Council on enforcement of, **1**. 458-459.
proprietary colonies do not conform to, **1**. 536, 540, 541, 542-3.
to be enforced by naval officer, **2**. 497-498.
to be observed, **1**. 379; **3**. 108.
violations of by charter gov'ts, **1**. 630-633.

Trade and Plantations, Board of. See Trade and Foreign Plantations.

Trade Commissioners, 14. 478, 479, 483, 493, 494; **19**. 141, 204, 330, 371, 619.
act on, **24**. 408.
Bd. War to on salt, **14**. 474; on salt, tobacco, &c., **14**. 456-457, 459.
order of Bd. War to on salt, **14**. 489.

Trade Street, Charleston, 17. 514.

Trader, Jona., army rank, **16**. 1174.

Trader, Jona., army rank, **16**. 1175.

Traders, act for tax on, **23**. 371-5; **25**. 498-9; on itinerant, **23**. 674.
ask Va. for help against Teach, **2**. 325.
asked for by Cherokees, **11**. 190-191.
bill to alter act to license, **5**. 42, 43, 45, 46, 49, 50, 60, 62, 64, 69, 71, 72, 75, 76; to license, **4**. 1325, 1326, 1327-1328, 1342, 1343, 1346, 1347, 1348.
injury done to S. C. by, **2**. 251-254.
killed by Sawras, **2**. 289.
memorial of ment'd, **5**. 481; against confiscation act, **15**. 203-205; to Board of Trade on trade, **5**. 321-324.
plundered by Indians, **2**. 26, 49.
sell arms to Indians, **2**. 201-202.

Trades, act on deception in, **23**. 195.
boy to learn, **1**. 398.
in colonies prejudicial to England to be examined, **2**. 164.
in N. C., **1**. 764.

Trading, Richard, exempted, **8**. 327.

Trading Ford, 19. 969, 983, 990.

Trading Ford of the Yadkin, 17. 999.

Trading Path, The, 23. 786.

Traditions of the Revolution, extracts from, **15**. 172, 178-179, 181, 391.

Traffic, with Br. to be stopped, **16**. 418, 422.

Tragaweha, Indian chief, **7**. 361.

Trainham, John, takes oath, **22**. 175.

Traitors, provision to be made for families of, **23**. 998.
See also Tories.

Tral.(?), **26**. 1265, 1266.
Trammel, Dennis, convicted of robbery, **16**. 777.
pardoned, **19**. 245-246, 247.
Trammell, Nicholas, act for land to, **24**. 629-30.
land grant to, **19**. 572.
Trammell, Wm., pensioner, **22**. 88.
Tramnell, Thomas, regulators' entry on causes of, **8**. 238.
Tramps, act on, **23**. 746-7; **24**. 597-8.
Tranbal, Eliz., quit rents of, **22**. 254.
Transfer notes (tobacco), **24**. 105, 107, 108, 438.
Transfer of C. to King, act for, **3**. 32-47.
date, **3**. 213.
grand jury on, **3**. 134-135.
Proprietors ask for their money, **3**. 6-7.
reasons for, **3**. 12.
well received in N. C., **3**. 1, 2.
Transfer of Rights, act on, **1**. 184; **23**. 1, 95; **25**. 119-20.
Transhaw, Rich., juror, **25**. 188.
Transmigration of souls, among Tuscaroras, **1**. 983.
Transportation, act on discussed by Ashe, **13**. 439-440.
asked by Swiss to C., **4**. 18.
line of to north and discussion on, **13**. 33, 39, 41, 43, 44, 45, 46, 51, 59, 105, 113, 114, 119, 134, 253.
means of, **10**. 755-757.
of convicts, message on, **6**. 680.
of criminals from N. C., **2**. 548.
of loyalists, resolution on, **10**. 184-185.
of persons, **1**. 59-67.
route of to army, **13**. iv; to Phila. established, **10**. 812.
Transylvania, act to vest part of in Henderson and others, and boundaries, **24**. 530-1, 640, 991.
action of Virginia on, **13**. 490-494.
bounds, **9**. 1276.
compact with people of, **9**. 1276-1278.
Deane to Hogg on gov't of, **10**. 300-304.
declared void, **16**. 893.
Dunmore issues proc. against, **9**. 1169-1170.
govt. of, **9**. 1277.
Hogg to Henderson on reception of in Cont. Cong., **10**. 373-376.
journal of legislature, **9**. 1267-1279.
Martin on settlement of, **10**. 273-274; proc. against purchase of, **9**. 1122-1125.
memorial and bill on, **19**. 164, 169, 179, 192, 196, 197, 200, 201, 208, 213, 214, 283, 301, 308, 320, 324, 325, 326, 327, 329, 330, 339, 342, 344, 347, 351, 354.
minutes of meeting of Proprietors of, **10**. 256-261.
named, **9**. 1274.
negroes in, **11**. 606.
progress of, **10**. 246.
proposals for settlement, **9**. 1129-1131.
purchase of ment'd, **13**. 50.
report on purchase, **16**. 151-152.
size, **10**. 323.
Stuart on, **9**. 1173.
Williams to Proprietors on land sales and Indian attacks, **10**. 382-387.
Tranter's Creek, **3**. 592; **23**. 531, 827; **24**. 758.
inspection at, **25**. 313, 379.
Tranter's Swamp, **23**. 222.
Trantham, Ann, affidavit on Indian murder, **9**. 788.
Trantham, Martin, army rank, **16**. 1168.
Trantham, Martin, land grant to, **4**. 968.
warrant for not returned, **4**. 966.
Tranton, Jno., army rank, **16**. 1174.
Trap, Martin, army rank, **16**. 1174.
Trapier, Mr., **16**. 930.
Trapiere, Paul, land grant to, **4**. 1241, 1255.
Trapnal (Trapnel), Philip, a J. P., **4**. 1046.
land grant to, **4**. 274, 964.
Trapnal, Wm., a J. P., **4**. 47.
Trapnal, Philip, collector, **23**. 373.
Trapp, Elijah, army rank, **16**. 1174.
Travathan, Wm., shoemaker, **15**. 620.
Travel, mode, **7**. 506.
slowness of, **9**. 1114.
Traveller's Rest, **14**. 565.
Travers, Mr., commissioner, **14**. 446, 465.
Travers, Patrick, Bd. War to on provisions, **14**. 447.
money to, **16**. 657.
owes State, **21**. 1070.
petition, **21**. 243, 250, 341-342, 358, 418, 607, 677, 687, 721; for new charter, **9**. 79-80.
surrenders charter of Campbelton, **9**. 270-271.

to deliver property of Nowland, **10**. 964-965.
Traverse, Joel, army pay, **17**. 253.
Travillian, Richard, fine remitted, **10**. 3.
Travillion, Joab, asks for new county, **9**. 92.
Travillion, John, asks for new county, **9**. 92.
Travillion, Richard, asks for new county, **9**. 92.
Travis, Mr., **22**. 1045.
Travis, Mr., prisoner, **22**. 555.
Travis, Absalom, army pay, **17**. 254.
Travis, Champion, account with U. S. for hire of wagons, &c., **15**. 694-695.
Travis, Daniel, witness, **1**. 402.
Travis, Edward, surety, **3**. 596.
Travis, Patrick, building coms'r, **24**. 839.
in assembly, **16**. 1; **19**. 242, 271.
Travis, W., **22**. 364.
Travis, Wm., a J. P., **23**. 994.
Travis, Wm., in militia, **22**. 415.
Travis, Wm., on com. to collect aid for Boston, **9**. 1081.
on Pitt S. C., **10**. 61, 295, 494.
Travis's, inspection at, **25**. 313, 379.
Trawick, Robt., in militia, **22**. 330.
Trawl, Jno., army rank, **16**. 1172.
Traxton, Capt., **14**. 597.
Tray, Wm., petitions, **19**. 935.
Treadaway, Daniel, patriot, **10**. 603.
Treadway, Daniel, discharged by Prov. Cong., **10**. 524.
Treadwell, Maj., on court martial, **15**. 431.
Treadwell, Adoniram, land grant to, **4**. 1248.
Treadwell, Beniram, land grant to, **4**. 1255.
Treadwell, Reuben, pensioner, **22**. 89.
Treason, act for trials for, **24**. 348-9, 356, 396-8; act on, **25**. 139-41; discussed, **19**. 862-865; violated by confiscation act, **13**. 991-992; to define, **11**. 769-773; to define and punish, **24**. 9-12, 84-89, 124, 213, 267, 329, 395, 427, 490.
bill for, **19**. 18, 19, 39, 75, 99, 122, 127; for trial of, **17**. 824, 844, 867, 869, 910, 914, 922, 930, 937, 938, 950, 967, 969; on, **20**. 207, 247-248, 426, 433-434; to attaint persons of, **16**. 111, 122, 160, 171, 173; to codify laws on, **19**. 547; to define, **12**. 41, 42, 47, 52, 113, 128-129, 154, 155, 168, 173, 179, 181, 232, 251, 252, 256, 264, 287, 316-317, 322, 329, 432, 805; **13**. 356; **18**. 260; **20**. 491.
conviction for, **11**. 777.
Culpepper tried for, **1**. 331-333.
discussed by Ashe, **13**. 440-441.
enforcement of law on, **16**. 775.
Eng. acts on in force in N. C., **23**. 319, 320, 321, 322, 323, 325.
executions for, **16**. 511, 522; **22**. 929.
indictment for in Pasquotank, **1**. 430-431.
instructions of Proprietors as to what is, **1**. 345; on trials for, **5**. 1121.
ordinance defining, **10**. 983; **23**. 997-8.
prisoners reprieved, **22**. 949-50, 959.
prosecutions for ordered, **16**. 168, 174.
resolutions of Md. on trials for, **8**. 158-159; on trials for, **8**. 122, 123-124.
sentences for, **16**. 777.
trials for, **19**. iv-v.
See also Tories.
Treasurer, Lord, at council, **2**. 680, 732.
Biggs's affidavit delivered to, **1**. 293.
on Bd. T. and F. P., **1**. 223.
Treasurer, Lord High, Va. boundary dispute to be referred to, **1**. 704.
Treasurer and Treasury (N. C.), **17**. 530, 531, 534, 535, 536, 538, 539, 540, 543, 544, 546, 548, 558, 559, 569, 570, 571, 587, 598, 599, 605, 606, 607; **18**. 165, 219, 232, 234, 239, 240, 281, 347, 348, 380, 381, 387, 438, 439, 500, 520, 522, 524, 531, 532, 538, 540, 575, 578, 581, 582, 585, 586, 588, 594, 600, 603, 606, 634, 635, 636, 637, 638, 642, 646, 647, 651, 653, 657, 669, 673, 674, 702, 703, 706, 711, 712, 713, 716, 719, 721, 723, 742, 743, 746, 758, 766, 771, 781, 782, 784, 822, 823, 825; **19**. 14, 31, 41, 53, 100, 108, 109, 111, 112, 113, 128, 133, 134, 137, 141, 143, 144, 148, 165, 167, 175, 193, 203, 219, 224, 229, 248, 249, 254, 258, 262, 267, 269, 271, 273, 276, 292, 293, 306, 317, 318, 319, 329, 335, 336, 339, 340, 354, 362, 364, 365, 366, 368, 410, 415, 416, 431, 437, 438, 442, 443, 445, 448, 455, 456, 457, 475, 476, 477, 478, 482, 493, 503, 504, 506,

509, 523, 543, 545, 555, 556, 558, 559, 563, 600, 601, 602, 608, 621, 625, 628, 629, 630, 631, 632, 641, 642, 653, 663, 668, 669, 670, 674, 679, 680, 684, 689, 690, 693, 694, 695, 701, 703, 711, 727, 734, 735, 757, 760, 763, 772, 775, 781, 782, 793, 795, 799, 800, 801, 807, 826, 832, 834, 860, 952, 997; **20**. 17, 22, 24, 25, 26, 32, 33, 42, 52, 54, 58, 60, 61, 62, 67, 74, 77, 78, 86, 89, 95, 99, 104, 105, 108, 110, 111, 115, 123, 145, 167, 171, 173, 174, 186, 189, 191, 192, 193, 194, 199, 209, 211, 215, 223, 232, 246, 248, 250, 253, 254, 255, 256, 257, 260, 261, 262, 269, 273, 280, 282, 283, 287, 288, 290, 292, 293, 305, 315, 327, 332, 345, 353, 358, 361, 362, 364, 375, 381, 383, 384, 385, 391, 392, 393, 395, 396, 397, 398, 399, 400, 401, 402, 406, 411, 412, 418, 420, 424, 429, 435, 436, 438, 439, 440, 442, 446, 448, 449, 450, 452, 457, 458, 464, 465, 467, 468, 469, 470, 471, 472, 474, 515, 522, 534, 541, 542, 551, 552, 553, 564, 566, 568, 569, 570, 573, 574, 575, 579, 581, 584, 585, 588, 590, 591, 592, 593, 596, 597, 598, 603, 604, 610, 651, 652, 658, 676, 685, 702, 711, 715, 719, 724, 731, 736, 747, 748, 749, 751, 759, 775, 782, 784, 785, 788; **21**. 11, 22, 27, 29, 30, 31, 32, 47, 49, 55, 56, 62, 72, 74, 93, 96, 97, 102, 104, 107, 110, 119, 120, 126, 128, 131, 132, 133, 134, 135, 136, 138, 140, 141, 147, 148, 153, 157, 158, 161, 162, 167, 168, 169, 171, 172, 174, 175, 179, 180, 182, 183, 185, 186, 187, 192, 219, 221, 242, 252, 262, 269, 271, 272, 273, 276, 284, 291, 301, 302, 304, 306, 316, 317, 318, 324, 329, 331, 336, 338, 342, 344, 347, 349, 350, 351, 355, 360, 365, 367, 370, 371, 373, 384, 386, 387, 388, 390, 391, 394, 397, 399, 405, 410, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 435, 436, 442, 444, 461, 466, 467, 471, 482, 489, 493, 503, 510, 511, 524, 528, 535, 536, 540, 548, 549, 555, 556, 558, 564, 567, 568, 569, 572, 580, 581, 615, 620, 626, 633, 634, 635, 637, 639, 640, 641, 642, 643, 647, 654, 662, 663, 668, 669, 673, 674, 683, 684, 686, 687, 690, 692, 693, 695, 698, 700, 701, 702, 703, 705, 706, 707, 711, 713, 715, 718, 720, 722, 723, 724, 726, 741, 742, 776, 791, 792, 795, 797, 800, 803, 808, 809, 810, 811, 814, 821, 822, 827, 832, 833, 839, 841, 842, 844, 847, 848, 856, 858, 860, 862, 864, 865, 866, 867, 868, 878, 882, 933, 940, 948, 950, 951, 953, 955, 958, 960, 961, 964, 969, 973, 981, 982, 985, 995, 998, 1000, 1005, 1006, 1009, 1013, 1020, 1021, 1025, 1026, 1028, 1035, 1036, 1038, 1039, 1040, 1043, 1047, 1048, 1050, 1051, 1053, 1054, 1056, 1057, 1058, 1059; **22**. 363, 424, 430, 459, 476, 477, 479, 480, 481, 482, 498, 521, 532, 533, 552, 644, 667, 668, 706, 750, 756, 769, 775, 784, 795, 803, 804, 805, 806, 810, 811, 815, 818, 819, 824, 825, 828, 830, 831, 832, 833, 834, 848, 908, 909, 911, 915, 916, 918, 920, 921, 923, 924, 925, 926, 927, 936, 938, 939, 940, 941, 942, 943, 946, 947, 948, 951, 952, 953, 955, 957, 959, 960, 961, 963, 965, 967, 969, 980, 981, 982, 1023, 1033, 1035; **23**. 14. 43, 45, 65, 71, 72, 91, 92, 137, 140, 155, 156, 170, 240, 241, 292, 293, 294, 295, 296, 298, 304, 305, 306, 309, 329, 348, 384, 393, 394, 395, 398, 422, 423, 426, 427, 429, 431, 432, 451, 452, 455, 463, 495, 496, 504, 505, 516, 517, 529, 530, 533, 539, 540, 541, 545, 552, 562, 591, 613, 614, 617, 624, 626, 664, 665, 675, 690, 691, 712, 713, 715, 716, 718, 720, 721, 722, 723, 743, 749, 758, 771, 772, 773, 781, 782, 806, 809, 817, 818, 820, 829, 840, 841, 844, 850, 851, 854, 865, 899, 900, 908, 923; **24**. 6, 7, 8. 9, 15, 29, 35, 36, 46, 47, 99, 100, 102, 110, 111, 112, 120, 128, 129, 130, 134, 135, 140, 144, 149, 155, 157, 158, 161, 171, 174. 184, 185, 186, 187, 199, 202, 204, 212, 217, 218, 224, 233, 235, 241, 242, 243, 244, 245, 255, 256, 257, 259, 266, 268, 281, 282, 288, 290, 292, 301, 304, 317, 320, 321, 323, 325, 326, 328, 333, 338, 340, 341, 346, 347, 348, 353, 368, 369, 371, 372, 374, 375, 378, 381, 389, 390, 391, 392, 408, 409, 419, 420, 428, 432, 433, 437, 438, 439, 442, 449, 454, 475, 476, 477, 478, 480, 484, 485, 492, 495, 499,

500, 518, 521, 552, 559, 560, 564, 567, 569, 578, 613, 617, 620, 623, 624, 633, 634, 648, 652, 653, 654, 655, 656, 657, 663, 664, 668, 681, 697, 719, 723, 724, 726, 735, 737, 744, 745, 763, 781, 782, 784, 785, 789, 790, 793, 797, 799, 800, 802, 807, 808, 812, 813, 827, 829, 830, 831, 832, 833, 834, 839, 840, 842, 844, 845, 866, 867, 875, 882, 892, 893, 897, 901, 914, 915, 916, 918, 920, 922, 923, 928, 935, 945, 946, 965, 975, 981, 983, 988, 990; **25**. 2, 8, 9, 22, 23, 25, 32, 45, 57, 58, 63, 64, 67, 75, 76, 79, 111, 157, 158, 162, 163, 173, 174, 175, 176, 185, 193, 235, 252, 254, 255, 309, 310, 326, 331, 332, 333, 346, 347, 350, 351, 352, 353, 362, 363, 370, 371, 375, 377, 394, 395, 397, 398, 435, 436, 456, 474, 490, 492, 493, 499, 518, 519*d*, 521.

accounts, methods of passing, **6**. 320; reported, **4**. 982, 997, 999.

act for, **6**. 1036; discussed, **3**. 335; for him to recover public moneys, **24**. 720-2; for him to report on state of treasury, **24**. 808-9; for salary to, **24**. 35-6, 163-4, 188, 259, 326-7, 406-7, 444-5, 501, 648, 669, 709, 796, 957; for six for State, **24**. 259; on accounts of, **25**. 161; to allow him a clerk and instructions on accounts, **24**. 898-901; to appoint, **23**. 131, 273-5, 331-2, 339, 341, 349-50, 360-2, 378-80, 400, 618-19, 723-5, 904-6; **25**. 238; for Edenton Dist., on pub. buildings, **24**. 763-4; in room of John Starkey, **25**. 494-5; to confirm Hodgson as treasurer, **23**. 149; to direct duties of, **23**. 904-6; **25**. 173-5; to make them more closely accountable, **23**. 89, 333, 720-1.

address of assembly on right to appoint, **7**. 337, 348-349, 356.

amount of Cont. money in hands of, **16**. 919.

and final settlement certificates, **21**. 863-864, 916.

appointment of in case of death, **25**. 164.

asked to report on Cont'l money, **16**. 887; to report on his office, **17**. 279, 281, 299, 301-302.

asks instructions on warrants, **18**. 33.

better regulation of needed, **8**. 248.

bill for clerk to, **20**. 197, 201, 262, 289-290, 342, 346, 373, 442-443, 470; for him to receive certificates, **20**. 170, 177, 271, 284-285, 344; for salary to, **12**. 241, 250-251, 253-4, 257-258, 434, 440-442, 592, 600, 601, 613, 653, 703, 705, 716, 730, 732, 754, 776, 786, 793; **13**. 747, 757, 760, 793, 800, 801, 807, 811-813, 814, 817; for suits in behalf of, **20**. 576-577, 583-584, 586; to appoint, **4**. 510, 511, 512, 513, 515, 541, 542, 546, 549, 566, 567, 568, 1322, 1323, 1324, 1328, 1338, 1339, 1340, 1342, 1343, 1348; **6**. 1098, 1101, 1104, 1106, 1120, 1121, 1125, 1126, 1127-1129, 1130, 1144, 1165, 1166, 1168, 1174, 1176, 1193, 1199, 1201, 1202; **9**. 394, 402, 416, 428, 431, 432, 445, 484, 508, 517, 531, 547, 553-554, 585, 656; **18**. 146, 260, 366, 369, 386; **19**. 58, 411, 741, 811; to appoint for northern district, **6**. 463, 465, 466, 468, 469, 502, 503, 506, 508, 511; in place of Starkey, **7**. 46, 47, 48, 49, 55-56, 65, 67, 69, 70, 71, 72, 84, 107, 300, 301, 302, 304, 312-313, 314, 324, 325, 327-328, 330-331, 338, 350, 352, 353, 357, 359, 363, 367, 387-388, 401, 410, 419; to direct in his duty, **21**. 955; to direct in keeping public accounts, **8**. 358, 363, 407, 416, 418, 427, 431, 440, 442; to elect, **16**. 168; **20**. 35, 48, 78, 107; to empower him to draw on parliamentary grant, **6**. 1103, 1111, 1136, 1137, 1141, 1144, 1146-1148, 1172, 1174, 1185, 1207, 1214, 1215, 1216, 1217; to enable him to recover public money, **17**. 344, 345, 360, 400, 415; to give him more power of collection, **20**. 54, 70; to repeal act on salary, **12**. 831, 833, 853.

bills emitted to be paid into hands of, **9**. 211.

bonds of, **7**. 671; **9**. 591-593.

carelessness of, **7**. 497.

committee and reports on state of, **18**. 6-7, 53, 64-65, 235, 238, 454-456, 466; **21**. 6, 8, 9, 13, 14, 16, 17, 18, 22, 24, 25, 26, 30, 31, 32, 35, 36, 38, 46, 56, 58, 63, 95-98, 141-147, 158, 199, 203, 733, 737, 881-882.

com. of whole to consider methods of supplying it with money, **12**. 33.

com. to examine accounts, **4**. 1052, 1053; **17**. 353, 357; to receive old bills from, **17**. 295, 314-315; to settle with, **12**. 415; to settle accounts of, **4**. 975, 988.
condition of, **14**. 207-208, 209.
county, **4**. 403, 404; bill to appoint, **4**. 477, 478, 480, 483, 484, 492, 505, 507, 508; to report their accounts to coms'rs, **25**. 165.
difficulty of meeting demands on, **11**. 366.
districts consolidated, **17**. v.
Dobbs on appointment of, **6**. 1091, 1154*a*; on auditing of accounts, **6**. 967.
does not attend assembly, **6**. 1035.
duties, **7**. 484; in matter of tithables and concealments, **25**. 162-4.
elected, **10**. 1010; **12**. 26, 29, 30, 31, 45, 46, 48, 49, 59, 65, 232, 233, 234, 413, 415, 416, 602, 608, 711, 712, 715, 718; **13**. 765-766; **16**. 148, 168, 175; **17**. 310, 318, 330, 856-857, 858, 859, 941, 954, 956-957; **18**. 77-78, 174, 179, 181, 307, 312, 397, 398, 400, 409, 413, 804, 806; **19**. 119, 123, 185, 188, 202, 311, 312, 331, 409, 461, 465, 466, 467, 468, 569, 623, 624, 626, 636, 637, 733, 806, 809, 814, 815; **20**. 29, 42, 206, 207, 210, 225, 388, 416, 518, 522, 523, 526, 537, 538; **21**. 63-64, 70, 83, 90, 91, 251, 273, 274, 278, 611, 613, 627, 628, 749, 772, 773, 777, 927, 934; by gen. assem. and ineligible to gen. assem. till settlement is made, **23**. 982-3.
empowered to purchase property at vendue, **8**. 460.
exhausted, **13**. 63; **14**. 231, 702; **22**. vii, 963.
fails to settle, **18**. 419.
failure of to settle causes regulation war, **8**. 637.
frauds on in army accounts, **18**. 17, 18, 20, 21-22, 36, 40, 47, 58-59, 61-62, 65, 66, 67-68, 71-74, 75, 76, 79, 80, 83, 85, 87, 88, 89, 93, 94, 95-96, 102, 103, 104, 108-109, 116, 121, 122, 125, 126, 150-151, 153-154, 156, 157, 161-164, 166-167, 180, 187, 192-193, 200, 203-204, 206, 217, 219, 221, 222, 223, 233-234, 235, 241, 248, 249, 250-253, 267, 270, 272-274, 278, 284, 290, 292, 293, 298, 299, 300, 301, 303-307, 308, 310-311, 312, 314, 315, 318, 319, 321, 322, 324, 325, 326, 327, 329, 330, 332, 333, 334, 335, 336, 337, 338, 339, 342, 349, 357, 359, 370-372, 374, 375-376, 377, 379, 382, 383, 384-386, 389-390, 393, 396, 400, 411, 412, 426, 429-430, 432, 436, 437, 439, 440-441, 442, 443, 444, 447, 449, 451, 452, 457, 459, 460, 461, 465, 466, 467, 468, 470, 472, 475, 684, 685.
instructed not to receive poll tax and duty, **9**. 943-944.
instructions to, **9**. 580; **12**. 38; **20**. 98, 108; on payment of assem., **20**. 163, 171; on settlement of army accounts, **20**. 534-535; to draw bills on Cont. Treasury, **12**. 3, 8; to make payments to governor, **12**. 211.
Johnston and Ashe, and salary, **11**. 470.
Johnston and Caswell, **10**. 203.
Johnston resigns, **11**. 488-489, 505.
list of, Barker, **4**. 1061; Mosely, **2**. 182, 612; **3**. 151; Smith, **3**. 218.
Martin to on amount of Cont. paper money, **16**. 734; on needful regulation of and answer, **9**. 378, 455.
memorial of Skinner on, **13**. 680-681.
methods of keeping public accounts discussed, **8**. 318; used to carry bill, **6**. 321-323.
names of wanted, **18**. 394.
no accounts sent to England, **4**. 1075.
not to pay money except on order of assembly, **6**. 1318.
not to sit in gen. assem., **10**. 1010; **22**. 668.
of States to make prompt returns, **14**. 232.
one for whole State elected, **17**. v.
one to be appointed in place of 7, **24**. 653-5.
ordered to attend assembly, **17**. 874; to pay money, **16**. 158, 159, 160.
orders to on currency, certificates and warrants, **20**. 172, 175-176, 220-221, 222, 281-282, 289, 351, 413, 414, 469, 471, 507, 547, 571-572.
ordinance to appoint, **10**. 991; **23**. 997; to supply money to, **23**. 989.
power, **5**. 948, 949.
precinct, discussion over appointment of, **3**. 546, 547, 579-580, 582.
proposed regulations for, **8**. 95-97, 105.

prosecution for frauds on, **20**. 630.
provided for Franklin, **22**. 667.
public, bill to appoint, **16**. 90, 95-96, 135; note on act, **3**. 188.
refuses to honor Tryon's warrants, **7**. xxix.
report of, **4**. 1327; on, **9**. 576-577; **20**. 286, 462, 467; **21**. 261, 266, 303, 379-382, 413-414, 423, 679-680, 883, 887, 890, 892, 915, 923; on accounts of, **17**. 357-358, 360, 367, 368, 369; **21**. 869-870, 1059-1079; on application of, **18**. 302; on certificates rec'd by, **17**. 415; on dishonesty of, **8**. 644; on money paid into for sinking fund, **8**. 212, 215; on representation of, **20**. 284; to be made on, **22**. 20; wanted from and com. on accounts of, **20**. 7, 66, 67, 70, 77, 104, 106, 109.
reports bills redeemed, **3**. 259-260; on difficulty in collecting expenses of Prov. Cong., **10**. 188.
representation of, **20**. 538, 541, 548-549; **21**. 164-166, 188, 192, 588, 739, 744, 766.
required to attend assembly, **17**. 973.
resolutions on methods of keeping accounts, **8**. 459-460; on pay of, **12**. 62-63; on payment of taxes, **17**. 681, 682, 762; on treatment of redeemed certificates, **24**. 951.
salary to be raised, **13**. 604-605, 618, 649, 684, 689, 690, 732, 734-734*a*, 740.
should be appointed in England, **3**. 151; forbidden to engage in commerce, **8**. 283.
Skinner on impossible demands on, **14**. 255-256.
squabble over office of, **9**. 1053-1054.
to allow interest on certificates, **17**. 404, 405.
to deliver certificates of bounty, **19**. 56-57, 60.
to draw Continental funds for delegates to C. C., **10**. 203.
to exhibit accounts, **3**. 255.
to forward accounts to sec'y, **6**. 1088-1089.
to make loans to poor people, **2**. 174.
to receive army settlement certificates, **17**. 409; **18**. 815, 816; proc. money, **13**. 561-562, 596, 597, 660, 664, 706-7, 739, 747, 774, 799-800.
to report on public moneys to assem., **13**. 847, 849.
to settle public accounts, **4**. 505, 509, 528, 531; with sheriff of Salisbury Dist., **17**. 314.
to sue delinquent holders of public money, **20**. 598; for taxes, **9**. 217.
to turn over paper money, **20**. 20, 24-25, 26, 33, 45-46, 104, 107, 109.
Tryon on act for, **7**. 430-431; on appointment of, **7**. 443.
uses sinking fund for general expenses, **12**. 104, 105.
warrant not paid, **16**. 900; to draw money from, **13**. 759.
Treasurer of Carolina, first, **1**. 180.
Treasurer's Court, organization and powers, **1**. 192, 195.
under Fund. Constns., and duties, **25**. 128.
Treasury, Commissioners of, Miller's petition to, **1**. 264.
on recommended increase in vice admiralty cts., **11**. 216-219.
Treasury, Lords of, **1**. 295; **4**. 1143; **8**. 162, 168, 211; **22**. 877.
appoint Heron deputy auditor general, **6**. 523; Lucas, **6**. 47-48.
commissioners of customs to on Miller's petition, **1**. 267-269.
Dobbs to on Rutherford's actions, **5**. 939-943, 944, 945.
fail to support McCulloh, **11**. 104.
land grant questions to be submitted to, **11**. 57-58.
Martin to introducing Conden, **14**. 297-298.
Pownall to on quit rents, **5**. 647-648.
to Pownall on compensation to Heron, **9**. 5.
Tryon to on Stamp Act, **7**. 195-196.
Walpole's report to on Widow Johnston's claim, **5**. 21-23.
Treasury, Secretary of, Abercromby to on case of McCulloh vs. Johnston, **4**. 1095-1097.
Treasury Board (U. S.), **12**. 819; **13**. 214; **15**. 360, 361; **16**. 354, 1204; **17**. 606; **20**. 685, 686, 694, 695, 696, 718, 726, 792.
and sale of N. C. tobacco, **20**. 639-641, 644, 645, 675, 680, 687, 688, 737, 738, 740.
Caswell to on accounts of N. C. with U. S., **18**. 508; on loan office affairs, **17**. 594; on State tobacco, **18**. 592-593; and contingent expenses, **20**. 717-718, 737.
circular on expenses, &c., **20**. 609.

Hawkins and Blount to on public tobacco and answer, **20**. 620-621, 624-625, 626-627, 629, 635, 636, 639.
Morris to on N. C. tobacco and answer, **18**. 620-623, 637, 638-639.
report of expenses of U. S., **18**. 539-542; printed, **17**. 413, 417.
sells lottery tickets, **13**. 110, 111.
to Caswell on foreign debt, State tobacco, and answer, &c., **18**. 634-636, 647-648, 656-657, 674, 679-680, 748, 761, 777, 779-782; on quotas for U. S., **20**. 783-785; on settlement of accounts, **20**. 705-706.
to coin copper, **20**. 684-685, 718.
to control loan office, **24**. 130.
Treasury chambers, 22. 260.
Treasury Department, 22. 1009, 1012.
Treasury notes, act to issue, **23**. 781-3.
Treasury of England, to control customs officers, **1**. 502.
Treasury of United States, report on should be published, **22**. 52.
Treasury Office, Philadelphia, 14. 212, 232.
Treat, Robert, gov. of Conn., **1**. 468-469.
Treaties, 19. 494, 495, 496.
negotiated, **17**. 25.
ratification of, **22**. 20.
regulation of, **22**. 22, 46, 50.
with Prussia, **18**. 609-620.
Treaty of Paris (1783), act to make it part of law, **24**. 885.
bill to make part of law, **18**. 199, 260, 399; to repeal acts contrary to, **19**. 210, 332, 340, 350, 420, 421, 582, 674-675, 715-716, 725, 746, 747, 754, 798, 800; **20**. 144, 145, 170, 204, 209-210, 217, 242, 300, 325-326, 345, 387.
Caswell on, **13**. 135.
N. C.'s fulfillment of, **18**. 600.
published, **13**. 125, 135, 136, 144, 425; **19**. 287-8.
published, **13**. 125, 135, 136, 144, 425.
recovery of debts under, **18**. 561-566, 653.
resolves of C. C. on, **20**. 649-650, 661.
Tree, George, army pay, **17**. 254.
Tremain, John, a J. P., **4**. 346.
Tremain, Jonath., land grant to, **4**. 334.
Tremble, John, precinct judge, **3**. 255.
Treneen, Wm., regulator, **8**. 80.
Trennilitah, 7. 210.
Trent, Maurice, trader, **1**. 467.
Trent, Stephen, in army, **13**. 529.
Trent, Wm., army rank, **16**. 1175.
Trent, Wm., petitions on need of money, **7**. 866-867.
Trent, 11. 554, 710; **13**. 359; **23**. 993.
British move towards, **15**. 627.
Trent, schooner, **21**. 1044.
Trent Bridge, 24. 226.
on post route, **7**. 149, 413.
Trent River, 2. 309, 459; **4**. 53, 62, 63, 162, 353, 355, 454, 602, 618, 644, 684, 886, 1241; **5**. 819; **6**. 607, 923, 1071; **7**. 2; **8**. 31, 154, 376, 416, 459; **9**. 125, 198; **10**. 728, 832; **13**. 98; **14**. 92, 96, 175; **16**. 597; **17**. 664; **21**. 770, 789, 804, 921; **22**. 288, 292, 319, 541, 565, 566, 568, 569; **23**. 98, 222, 481, 482, 630, 631; **24**. 226, 247, 468, 823, 958; **25**. 103, 358.
act for bridge over, **23**. 346; **25**. 240; for town on, **24**. 609-11, 697-8; on navigation of, **23**. 914; **24**. 602-3, 678.
bill for bridge over, **4**. 783, 785, 1055, 1056, 1057, 1061, 1064; **9**. 408, 415, 420, 422, 444, 446, 518, 519, 529, 535, 537, 542, 544, 584, 586, 662, 719, 726, 761, 762, 775; for clearing, **19**. 538, 551, 556, 558, 594, 601, 661; for navigation of, **9**. 408, 415, 444, 518, 519, 529, 535, 540, 584, 658.
British cross, **15**. 624.
capital to be erected on, **4**. 898.
character, **6**. 1027-1028.
corn not to be exported from, **7**. 225.
entrenchment on against regulators, **8**. 525.
horses and wagons sent to, **15**. 632.
Huguenots on, **1**. xi.
Indians of join Tuscaroras, **1**. 934.
inspection at, **25**. 313.
iron factory on a failure, **8**. 496; proposed, **8**. xlvii, 10.
land grant on, **6**. 77.
massacres on, **1**. 934, 946.
Moseley gets lands on, **3**. 19.
no survey to be made on, **2**. 118.
Palatines located on, **1**. 910.
raids of Indians on, **1**. 924.
treatment of Indians by people of, **1**. 927, 928, 933.
Trent Road, 8. 416.
Trentham, Martin, land grants to, **4**. 892.

land warrant to, **4**. 950.
Trentham Creek, 5. 34.
Trenton (Trent Town), 15. 380, 725, 727, 731.
act to establish, **24**. 609-11, 697-8.
inspection at, **24**. 582.
Trenton (Trentown), N. J., 5. 1219; **9**. 1233; **11**. 529, 750, 751, 752, 754; **12**. 457; **14**. 290, 294, 563; **17**. 172, 173, 174, 186, 597, 601; **22**. 153.
camp at, **12**. 485, 486, 487, 488, 489, 490, 491, 492, 493.
Nash at, **11**. 570; ordered to, **11**. 739.
not good place for federal capital, **16**. 909.
Washington wins battle of, **11**. 366, 368.
Trespass, act on, **23**. 34; to prevent on Indian lands, **24**. 188-9.
Eng. act on in force in N. C., **23**. 319.
Tress, Samuel, patroler, **10**. 64.
Trevanthan, Wm., juror, **25**. 186.
Treveaile, John, law suits, **2**. 89.
Treville, M., reports on American troops in N. C., **15**. 252; on Md. and Del. troops at Hillsboro, **14**. 867.
Trevillian, Jas., in militia, **22**. 371.
Trevillian, Jno., in militia, **22**. 371.
Trewan, Thomas, land grant to, **4**. 1240.
Trewhit. See Truit, etc.
Trewhit, Jos., in militia, **22**. 324.
Trewhit, Wm., in militia, **22**. 324.
Trewillian, Jno., in militia, **22**. 417.
Trewins, Thomas, land grant to, **4**. 1246.
Trexler, ——, pastor of Mt. Zion, **8**. 748.
Trexler, John, helps reorganize Lutheran Church, **8**. 784-785.
Trexler, Rev. P. M., organizes St. Luke's Church, **8**. 746.
Trials, accused to be informed of charges, **23**. 977.
act on t. of slaves, **23**. 202-203; of small and mean causes, act on, **23**. 27-29, 175-7, 336; **25**. 160, 182.
Eng. acts on right of in force in N. C., **23**. 317, 320, 325.
methods of, **23**. 977.
provisions for speedy t., **23**. 562-3, 884; **24**. 623; **25**. 21, 446, 447-8.
resolution and petition on rights in, **8**. 122, 123-124, 134, 135; of Md. on rights in, **8**. 158-159; of Va. House of Burgesses, **8**. 42; on British regulation of, **9**. 1031, 1045.
rights of defined, **10**. 1003, 1004.
to be had in England instead of America, **9**. 1000.
to be hastened, **23**. 701-2.
Trice, ——, wounded and prisoner, **22**. 523.
Trice, Capt., prisoner and dies, **15**. 168.
Trim, Charles, asks for new county, **9**. 90.
Trimble, James, clerk, **18**. 581.
Trimble, Jas., in militia, **22**. 397.
Trimble, John, 5. 1201.
Trimble, Robert, in militia, **22**. 397.
Trinity-Brothers, 3. 50.
Trinty College, Cambridge, 2. 293.
Trinity Parish, bill to erect, **7**. 902, 915; **8**. 298, 337, 352.
Trip, John, provost marshal of Bath Co., **2**. 532.
Trip, Nevil, exempted, **5**. 527.
Triplet, John, army record, **13**. 475.
Triplet, Mason, in militia, **22**. 419.
Tripp, Mr., in assem., **23**. 808; on com. of assem., **15**. 219.
Tripp, John, a J. P., **3**. 252.
debt not yet paid, **4**. 528.
given time to pay debt due province, **4**. 100, 143-144.
road coms'r, **23**. 222.
summoned to assembly, **4**. 725.
to lay out road and overseer, **23**. 98.
Tripp, John, a J. P., **23**. 992.
Tripp, Robt., a J. P., **23**. 992.
in assembly, **13**. 784, 786, 812, 823, 913, 925, 966, 975, 980, 983, 988, 990, 1000; **19**. 381.
in Prov. Cong., **10**. 913, 915, 960.
Tripp, Wm., witness, **4**. 1252.
Trip's Landing (Capt.), quit rents paid at, **25**. 217.
Trist, Mr., 13. 494.
Trist, Mrs., 11. 679, 683, 693, 697.
Tristrank, Simon, lands goods in S. C., **1**. 545.
Trite, John, juror, **10**. 8.
Triton, ship, **5**. 394.
Troeler, Duncan, 8. 738.
Trolinger, Henry, pensioner, **22**. 88.
Trollinger family, 8. 734, 737.
Trollinger's Ford, 22. 100.
Trongate, in Glasgow, **2**. 277.
Tronsdale, James, recommends tories for pardon, **16**. 227.

Troop, Wm., mate of privateer, **10.** 637.
Troops, abstract of accounts of N. C. line, **17.** 189-263.
abuse of as waiters, **14.** 716-717.
account of rations for, **11.** 400.
accoutrements provided for, **12.** 720.
act for pension, **24.** 735-7, 744; for provision tax for, **24.** 344-7, 390-4, 434-7, 437, 459-60; for relief of, **24.** 419-22, 540, 562, 564, 566-8, 569, 682, 683, 686, 722. 734-5, 787-91, 891-2; **25.** 31; for tax for defense of frontier, **25.** 331-3, 345-8, 350-2, 361-4. 370-2, 394-5, 397, 457-8; for transporting discussed and to be repealed, **5.** 107, 116; on mutiny and desertion, **23.** 442; **24.** 157-9; **25.** 338-41; to compel counties to furnish, **24.** 395-6, 417; to complete battalions, **13.** 121, 123, 411-417; to issue bills of credit for use of, **23.** 392-398; **24.** 184-7, 217-8, 255-7, 320-2, 331, 382, 475-8, 578-9, 682; to increase powers of Q. M. G., **24.** 381-2; to open land office to pay arrears to, **24.** 478-82, 565-6, 571, 682, 683, 811; **25.** 5, 77; to raise, **23.** 151-157, 161, 336, 417, 423, 440, 485, 539-41; **24.** 154-7, 160, 198-9, 254-5, 260-1, 262, 337-9, 367-73, 384-7, 413-17; **25.** 310; to raise and support, **22.** 362; to raise money for payment of, **23.** 781-3; **25.** 234, 235, 238; to raise to protect Davidson Co., **24.** 783-6; to send to aid of U. S., **13.** 359-360; to support, **23.** 483, 503, 516-18, 539-41; **25.** 161, 309, 333.
additional to be raised and bounty to, **12.** 575-6, 577, 678-9, 680.
agent appointed to get supplies for, **14.** iv-v; for providing clothing, **11.** 688-689.
allowance for arrest of deserters, **12.** 203; for private stores, **10.** 589; to adjutants when on duty, **12.** 328; to not granted, **12.** 164-165; to officers, **13.** 980.
Amis on provisions for, **14.** 106.
amount of quotas of each State, **15.** 660.
and elections, **10.** 874.
appointments and promotions among, **10.** 620, 621, 622, 623, 625-627, 632, 633, 637.
armourer to be employed for, **10.** 568.
Armstrong, a contractor for, **12.** 650-651, 760-761.
arrangement of, **16.** 265, 450; of officers, **16.** 501-502; of officers of Cont. line, **15.** 501; of regiments and position in army, **12.** 508-509.
arrears of 10th Regt. to be paid, **12.** 332; to be paid, **10.** 569.
artillery co. recommended to Cont. Cong., **11.** 721, 730, 734, 737, 738; taken into Continental pay, **11.** 530; to on lack of clothing, **11.** 672; recommended to C. C. to be put on Cont. establishment, **12.** 98-99, 101; to be put on Cont. establishment, **11.** 500.
Ashe on reënlistments of, **14.** 55.
asked for and ordered to N. Y., **10.** 791, 801, 804-805; by Lincoln for S. C., **14.** 796; for defense of South, **14.** 1; for French war, **11.** 137-139.
assemble in N. C., **15.** 774.
at Occacock and White Oak Inlet, **10.** 978.
badly officered and equipped, **22.** 973-4.
balloting for officers, **12.** 100, 103, 109.
battalions not filled, **14.** 484; of Sheppard put on Cont. establishment, **11.** 729, 730; to be filled, **13.** 72, 124; **14.** 2.
Bennett to buy provisions for, **14.** 12-13.
Bignall on filling of battalions, **14.** 5.
bill for in Davidson Co., Tenn., **18.** 39-40, 166, 221, 265, 285, 314, 336, 394, 397, 467, 472; for relief of, **16.** 120, 124, 149, 153, 165; to defray expenses of, **4.** 536, 537, 539, 541, 542, 546, 547, 548, 549, 550, 551, 555, 557, 558, 561, 563, 564, 565, 567, 569, 570-571, 573, 574; to emit bills to raise, **12.** 847-848, 851, 852, 853, 854, 865, 868, 872-873; **13.** 568, 600, 614, 670, 681, 710, 722, 728, 747, 760, 776, 778, 802, 819; to fill ranks, **13.** 886, 890, 893, 905, 980, 981, 985, 996; to pay, **19.** 159, 181-182, 186, 211, 216, 220, 222, 227, 277, 279, 281, 302, 307, 311, 326, 340, 345-346; to promote recruiting, &c., **12.** 48, 65, 68, 72, 76, 79, 88, 94, 111; to raise, **13.**

547, 548, 599, 617, 646, 708, 732, 734*l*, 748, 759, 778, 800, 801, 806-807, 816, 820; **16**. 81, 83, 128, 131, 138, 139, 141; **17**. 643, 804, 805, 812, 817-818, 820-821, 828, 837, 854, 855-856, 895, 905, 917, 922, 926, 932, 933-934, 947-948, 950, 951; **18**. 809, 810, 816, 817; **19**. 50, 90, 101; to complete battalions, **12**. 592, 593, 601, 603-604, 630, 653, 701, 703, 712, 716, 723; to repeal act for, **20**. 177, 180, 188; to send to aid of S. C., **13**. 758, 761, 769, 800, 817-818; and Ga., **13**. 878, 881, 882, 969-970, 971, 973, 977; to settle accounts, **20**. 61, 78, 88, 110; and case of frauds in, **20**. 207-208, 214-215, 217, 228, 230, 232, 233, 234, 393, 408, 409, 420, 421, 423-424, 432-433, 472, 473.

blank commissions to be furnished for, **12**. 69-70, 74.

blankets for, **22**. 916; to be bought for, **12**. 242, 259, 260; to be provided for, **11**. 422.

Blount advances money to, **12**. 591-592, 697, 702.

Board War on condition and movements of, **14**. 484-486.

boats for at Currituck Inlet to be sold, **12**. 163, 171, 335; of independent companies to be sold, **12**. 359.

bounties to, **10**. 203, 688, 805; **11**. xiv, 470; **13**. 408; **17**. 869, 967; **19**. 56-57, 60; **22**. 955; and other expenses of, **15**. 8; extended, **10**. 889; needed, **13**. 153; to be paid to, **12**. 876, 878.

bravery at Stony Point, **14**. 187, 190; in attack on Charleston, **10**. 618*a*, 618*c*, 618*d*.

brigadiers nominated, **13**. 485; by assembly, **12**. 386, 389.

brought back to State and disbanded, **14**. vii-viii.

Bryan commissary for, **12**. 585, 688, 690, 711.

Burke on recruits, **16**. 203; to Caswell on appointment of general officers for, **15**. 746-748; to gen. assem. on, **16**. 285-286.

Butler on returns of, **11**. 687.

called out against loyalists, **10**. 444-445.

captured at Charleston, **14**. xi.

Caswell explains why so few are sent to S. C., **14**. 13-14; on commissions for officers and character of drafts, **13**. 192-194; on condition of, **13**. v; **15**. 10-12; on disposition of, **14**. 101-102; on movements of, **11**. 602; **13**. 179-181, 187-188; **15**. 10-12; to Ashe on recruits, **11**. 597-598; to assem. on condition and pay of, **14**. 77; to delegates on raising and disposition of, **14**. 25-26; to fill up commissions, **12**. 22, 23; to Hogun on movement of, **13**. 173, 179-181; to Locke, Butler and Jones on raising and movement of, **14**. 27-31; to officers on the raising of, **14**. 90, 91.

cattle for, **14**. 391.

chaplaincy of, **14**. 108.

character of recruits, **15**. 753.

charges against of excesses and murder, **15**. 511-513.

Chariol to Caswell on supplies and money for, **13**. 447-448.

clothiers for and orders to, **14**. 355-356.

clothing, &c., for, **10**. 851-852, 870, 879, 923; **11**. 345-346; **13**. 34, 485; **14**. 156, 189, 197-198, 207, 322, 357, 398, 418, 424, 428, 432, 433, 435, 437, 438, 440, 443, 444, 447, 450, 451, 452, 462, 472, 551, 587, 592, 604-605, 670, 672, 681-682, 686, 691, 705, 724, 731-732, 739; **15**. 321-322, 327-328, 352, 412, 482, 493-494, 505, 520, 528-529, 531, 568-569, 590, 591, 628, 648-649, 650, 656, 710, 742-743, 770; **22**. 920, 926, 987-8; allowed to, **13**. 909; and leather to, **22**. 1009-12; bought for, **12**. 661-662, 744; **13**. 14-15; and sent north, **13**. 42-43, 46, 51, 53, 59, 60, 66, 69, 70-71, 74, 75, 78, 79, 80-82, 83, 84-85, 93, 105, 113, 114, 119, 121, 143-144, 146-147, 155, 160, 169-170, 200, 287; considered, **10**. 719; committee reports on, **14**. 714-716; hard to get, **13**. 153; needed, **14**. 405; to be bought for, **10**. 579; **12**. 228, 411, 423, 444, 445, 610, 611; **13**. 817, 818; **14**. 98-99, 102, 103, 104, 144, 158, 310-311; to be furnished by States, **14**. 341-342; to be reported, **14**. 67-68; sent to, **12**. 827; **13**. 32.

colonies required to furnish provisions for, **7**. 688.
commanders of, **15**. 460.
commissaries, **10**. 193; **13**. 903, 904, 905, 987-988, 996, 997; accounts of to be settled by gov., **12**. 651-652, 653, 763; and paymasters to be allowed to resign, **12**. 406, 407; to be discharged, **12**. 228, 229.
commission to Martin, **15**. 386-387.
coms'rs to buy clothes for, **12**. 420, 425, 426, 431, 433; to buy provisions for, **12**. 605, 713, 719, 743; **13**. 540, 547-548, 573, 638, 642-643, 645-646, 676, 770, 774; to erect magazines for military stores, **13**. 583, 683-684, 690; of military stores appt'd, **11**. 314; to examine and report on provisions, **15**. 200.
committee and reports on provisions for, **12**. 22; of Prov. Cong., on rations for, **10**. 521; of whole to consider expediency of employing and report of same, **10**. 506; on commissaries, clothing, &c., **13**. 920, 928, 930; on complaints over rank and report of same, **10**. 942, 955-956; on duties of commissary of stores, **13**. 770; on light horse reports, **12**. 27, 29; on prices of rations, **12**. 147, 152, 156, 157-158, 161; on rations for, **12**. 136-137; on remonstrance of officers on pay, &c., **13**. 576, 590-591, 679-680, 682, 698, 762, 780, 820, 821; on supplies for, **13**. 837-838, 869-870, 892-893, 959, 962, 984, 985; to consider best manner of paying, and report, **10**. 953, 958-960; to consider removing of supernumerary officers, **12**. 50. 93, 107-108; recruiting of, **11**. 9, 10; support of, &c., **10**. 507, 522, 527, 552, 565; to examine accounts of paymaster general, **12**. 824; and care for stores of, **12**. 115, 116; conduct of officers of 10th Regt., **12**. 114, 115, 116; to fix rations, **12**. 292-293, 299, 304, 313, 314, 319, 321-322, 326-327; to inquire into number to be raised, **10**. 917, 919, 923, 924, 947; into 10th regt. report, **12**. 131-135, 156-157, 266-7, 270, 293-298, 318; to regiment officers and report on same, **10**. 945, 949; to report on report of commissioners to settle, **17**. 280, 282; troubles of over recruiting, **12**. 48, 49.
complaints against, **15**. 503-504.
concentration of discussed, **13**. 248, 249, 251, 252.
condition of, **13**. x, xii; **14**. 206, 545, 555-556, 590, 604, 649, 657, 661, 664-665, 671, 734-735, 736, 737-739, 770, 807, 842; **15**. 160, 504-505; and needs of 3d regt., **10**. 790; in Hillsboro and Salisbury districts, **14**. 136; of first cavalry, **14**. 510-512.
conduct at Briar Creek, **14**. 41-42; of McRee in enlisting reported to Nash, **12**. 64, 68.
Cont. Cong. to Prov. Cong. on recruits and provisions for, **11**. 361.
Cont. treasury drawn on for money, **12**. 814, 819.
contractors appointed, **12**. 791, 792; reimbursed, **12**. 795, 865-866.
contribution levied and collected for, **15**. 629.
cost for 1783, **16**. 443-444; of provisions for, **13**. 6-7, 9.
counties to furnish clothing for, **12**. 638-641, 644-645, 747-751, 753, 756, 782-783, 785, 790, 835-836, 841, 842,
court of inquiry to fix discharges, **11**. 519, 520; to be held on discharges, **11**. 691; to be held to consider discharges, **11**. 824.
Craike on clothing for, **14**. 172-173; on supplies for, **22**. 774-5.
Crofton claims command of State t., **16**. 559, 560, 561-562.
danger of short enlistments, **15**. 515.
Davidson on money needed for recruiting and answer, **11**. 475-476, 485-486; on recruits, **11**. 557.
delegates in C. C. to make provisions for, **12**. 642.
demand bounty, **15**. 318, 320.
demands for more considered, **10**. 813-814.
depositions on character of arms for, **12**. 84-85.
deserters, **11**. 834; **14**. 392-393; arrested, **14**. 185, 186; proclamation on, **11**. 815-816; rewards for, **11**. 742, 823-824; taken in Onslow, **11**. 795; to be arrested, **14**. 198.
different sorts and grades of, **10**. 367-368.
difficulty of drafting, **14**. 267; of raising new recruits, **13**. viii-ix; of recruiting, **14**. 151; **15**. 98, 176; **22**. 919.
disbanded, **14**. 66; **22**. 938, 942.

discharge of, **11**. 557-558; and payment of, &c., **14**. 328-329; considered, **12**. 34.
disposition of, **10**. 243, 273; discussed, **14**. 536-537.
dispute over election of troops, **11**. 658.
dissatisfaction among officers, **14**. 80-81.
distressed situation of, **13**. 29.
division of, **11**. 290-291.
draft horses needed for, **15**. 534.
draft riots in Beaufort Co., **13**. 188; in Tyrrell Co., **13**. 145-146.
drafts for, **15**. 490-491, 494, 499, 516-517, 520, 530, 531, 557, 562, 591; **16**. xi; necessary, **16**. 341, 342, 569; from Tryon Co., **10**. 440.
Easton on pay for, **11**. 510.
employed as artificers, **15**. 466; at other things, **15**. 477-478.
enlist in service of S. C. and Ga., and action on same, **11**. 357-358, 362-363.
enlistment of, **22**. 52; discussed, **13**. 482.
entry-takers and sheriffs allowed to advance money to, **12**. 740; **13**. 549, 554, 655-656.
equipment, **20**. 611-613; considered, **15**. 621.
evils of short enlistments, **16**. 275.
excesses and insolence of, **15**. 769-771.
food and clothing asked for and given Ga. troops, **11**. 685-7, 692-3.
forbidden to enlist under S. C., **15**. 692.
foreign, not to be introduced, **22**. 23, 46, 50.
forwarding of volunteers and drafts to Cont. Army, **13**. 151-152.
frauds in accounts of, **18**. 17, 18, 20, 21-2, 23, 36, 40, 47, 58-9, 61-2, 65, 66, 67-68, 71-74, 75, 76, 79, 80, 83, 85, 87, 88, 89, 93, 94, 95-96, 101, 102, 103, 104, 108-109, 116, 121, 122, 125, 126, 150-151, 153-154, 156, 157, 161-164, 166-167, 180, 187, 192-193, 200, 203-204, 206, 217, 219, 221, 222, 223, 233-234, 235, 241, 248, 249, 250-253, 267, 270, 272-274, 278, 284, 290, 292, 293, 298, 299, 300, 301, 303-307, 308, 310-311, 312, 314, 315, 318, 319, 321, 322, 324, 325, 326, 327, 329, 330, 332, 333, 334, 335, 336, 337, 338, 339, 342, 349, 357, 359, 370-372, 374, 375-376, 377, 379, 3 383-386, 389-390, 393, 396, 400, 4 412, 426, 429-430, 432, 436, 4 439, 440-441, 442, 443, 444, 447, 4 451, 452, 457, 459, 460, 461, 4 466, 467, 468, 470, 472, 475; in su stitutes, **16**. 7.
French regiment discussed, **13**. 220 223, 226-228, 230, 231-232, 484.
from N. C. expected at Carthagen **15**. 752.
general officers desired by in N. (**11**. 694; needed for, **11**. 683, 69 **13**. 3; recommended, **11**. 718.
Ga. recruits in N. C., **10**. 700.
governor authorized to command N. C. and appoint officers for, **1** 99, 100; to draw on Cont. Treas for funds for, **12**. 732, 738, 754; issue blank commissions for of cers, **12**. 644, 729, 752.
Green on provisions for, **11**. 697-69
Greene on reorganization of, **14**. 79
grievances of officers considered b delegates in C. C., **14**. 89-90.
Guion ready to march northwar **11**. 498.
Harnett reports on condition of, **1** 211-212.
Harrington on condition of, &c., **1** 140.
Hewes to Johnston on, **22**. 514-18.
Hogun on movement of, **13**. 168; **1** 290; reports on condition of, **1** 15-16; to Washington on, **15**. 767
horses and commissaries for, **1** 535-536; and wagons of State t be sold, **12**. 96, 97; **14**. 199, 201.
hospital needed, **14**. 562.
Howe on condition of, &c., **14**. 33 331.
imperfect returns from, **14**. 319-32
in battle of Stono, **14**. vi.
in Continental pay in N. C., **10**. 31
in good spirits, **11**. 570.
in need of arms, **11**. 416; of clothe **11**. 477; of provisions, **14**. 38 387, 389.
increase of, **15**. 686; considered, **1** 513-514.
increased cost of provisions for, **1** 103.
independent companies disbande **12**. 177-178, 191, 359-360.
insubordination among, **12**. 467-468
instructions on recruiting, **11**. 46

468; to delegates in C. C. to elect brig. gen., **12**. 209.
irregularities of, **15**. 48-49; in filling vacancies, **12**. 473.
Johnston on those of Edgecombe Co., **13**. 298; to Hooper, Hewes and Penn on raising and equipping of, **10**. 494-495.
Jones on recruiting of, **14**. 351; and answer, **14**. 141-143.
Kolb on condition of, **14**. 580.
lack provisions, **16**. v; surgeons and medicine, **15**. 507-508.
Lamb on arrangement of, **15**. 562-563; on movements of, **14**. 7, 289-290; on rendezvousing of, **22**. 768.
lands for considered, **16**. 324-325; frauds in, **20**. 109, 113; reserved for, **16**. 103-104.
leave given to raise for the Bahamas, **4**. 701.
leave of absence to, **14**. 295.
Lee to command and brigadiers appointed, **10**. 482-483.
length of service, **10**. 203.
letters on payments for recruiting service, **11**. 465-466.
light dragoons paid and disbanded, **13**. 580-581, 617, 731-732.
light horse organized, **13**. 734*f*-734*h*, 734*k*; **14**. 24; to be furnished by Cont. Cong., **11**. 747-748.
Lillington on enlistments, **14**. 114, 118.
limit on numbers, **10**. 558.
Lincoln on condition of, **14**. 61-63, 68; on N. C. t. in S. C. and Ga., **14**. 18; to Caswell on aid sent to S. C. and Ga., **14**. 56.
lists not returned, **11**. 497; of Cont. officers continuing till end of war or deranged, **22**. 1049; of officers in N. C. battalions, **13**. 474-476; of volunteers, drafts and substitutes asked for, **16**. 28-29, 32.
location, **13**. 495-496; **14**. xiii, xiv, 332; 481; **14**. 322.
Locke on election of for service, **13**. 444.
Long on bounty and rations, **15**. 318; to furnish list of wagons, **13**. 887-888, 978, 979; to take possession of property of disbanded regiments, **13**. 900, 901, 993.
Lord made paymaster, **11**. 358.
losses at Charleston, **14**. 344-345; at Stono, **15**. 751.
Luttrell on rendezvousing of, **13**. 50.
McIntosh reports on sorry plight of N. C. brigade, **13**. 67-68.
Mallett on payment of, **11**. 674-675; on provisions for, **14**. 7-9.
march of to So. States proposed, **14**. 153, 154.
Martin on pay for, **21**. 720-721.
may enter service of S. C. and Ga., **10**. 795-796.
medicines for, **14**. 291-292, 452; **22**. 917; and hospitals, **14**. 523-5; to be impressed for, **14**. 436.
memorial on clothing for 10th reg't, **11**. 670-671; **12**. 268.
method of completing battalions, **14**. 100, 104, 105.
military orders, **16**. 263-269.
money for, **22**. 985, 986, 987; asked for, **13**. 10; advanced for medicine, **12**. 800, 806, 866; borrowed for clothing, **12**. 752; to pay, **10**. 620; discussed, **14**. 212-213, 214-215, 216, 218, 224, 225; **22**. 983, 984; for recruits, **11**. 496-497; needed, **11**. 514, 586; **13**. 68, 73, 159, 160, 161, 163, 164-165, 166, 167-168, 169, 176, 183, 188, 190, 195, 207, 233, 453, 459; **14**. 830, 831, 832, 833, 834, 843, 847, 859, 860, 862, 866; **15**. 10-11, 15, 23, 67; paid to to be reported, **14**. 379; provided for march of, **12**. 16, 17; to be drawn from Continental Treasury for support of, **12**. 615-616.
Moore asked to report on, **10**. 876.
more should be raised, **10**. 731; to be raised, **10**. 413-414, 802, 804.
movements, **14**. 74, 399, 405, 580-582, 587, 593, 594-595, 600-602, 604, 614-616, 646-647, 651-653, 670, 681, 702-703-705, 720-721, 737-739, 746-747, 763-764, 771, 778, 780, 781, 783, 789, 807, 828-829, 835, 836, 841-842, 859; **15**. 440, 444, 445, 446, 447, 449, 453, 455, 456, 463, 464, 467, 468, 470, 479-480, 483, 484, 487-488, 495, 496, 500, 501, 506, 514, 516, 517, 526, 530, 531, 535, 538-539, 541, 546, 549, 551, 557, 569, 575, 586, 590, 591, 599, 600, 612, 632, 633, 639, 649, 739, 766, 767, 772, 780; **16**. 961; depend on money, **13**. 109, 112; discussed, **11**. 296-297; **13**. 301, 302, 313, 315,

316, 317, 318, 337, 338-340; to S. C. delayed, **22**. 956.
muster rolls wanted, **20**. 604, 614, 615-616, 630, 749, 761.
mustered out, **15**. 745-746.
mutiny among, **10**. 684; **11**. 330.
Nash submits proceedings of field officers and of court martial to Washington, **11**. 751-753; to make report on condition of, **12**. 33-34, 40.
necessities for to be supplied, **13**. 251.
necessity for filling up regiments, **14**. 194-195; for defense considered, **22**. 1033-4; for quotas of, **14**. 210.
need of and reasons for raising considered, **10**. 175, 183, 185; provisions, **14**. 503; to be organized in N. C., **9**. 1247, 1249-1250.
needs of in Hillsboro, **15**, 3-4.
negroes enlisted in, **11**. 834.
new battalions raised and old ones consolidated, **13**. viii.
new regiments raised, **16**. vii; to be raised, **10**. 1037.
no a. and a. for, **15**. 502; in S. C., **13**. 271.
no clothing for, **11**. 651, 662.
no pay for, **5**. 137.
no stores for N. C. t., **13**. 84-85.
N. C. battalions consolidated by C. C., **15**. 710-711.
N. C. dragoons to be dismissed from service of U. S., **13**. 496-498, 499.
N. C. first to send t. beyond her borders, **10**. xi.
N. C. regiments short and without clothing, **13**. 46.
N. C. troops neglected, **22**. 978.
not to be enlisted on privateers, **10**. 511.
not to enlist under S. C. and Ga., **15**. 683, 717; **22**. 942.
not to go to N. Y., and located, **10**. 878.
number and location in N. C., **15**. 252, 256; from N. C., **19**. vi, 995-996, 997; in the field in 1775, **10**. xiii; needed to conquer N. C., **7**. 202; put into the field, **10**. xl; required from N. C., **15**. 95; to be furnished by N. C., **14**. 272; to be increased and bounties for, **10**. 807-808; wanted for French war, **5**. 751, 752, 753.
oaths provided for commissary and clothier to abstain from trade, **13**. 896-897, 903, 995,
of Ga. furnished with provisions, **12**. 339, 348.
of N. C., and battle of Germantown, **11**. 649, 654; in Carthagena expedition, **11**. 42, 43, 44; not in battle of Brandywine, **11**. 626; put into Continental pay, **10**. 338.
of south and north compared, **10**. 817.
of Va. and N. C. compared, **14**. 75-77.
of U. S. increased, **18**. 768.
officers appointed for, **10**. 187-188, 204-207, 942-945; **13**. 4; **17**. 951-952, 954-955, 957, 966, 969; fail to obey orders, **11**. 587-588; for, **14**. 263-265; **15**. 443; **18**. 172-173, 391, 449-450, 451, 458-459; for recruits considered, **14**. 115-116; for those to go to S. C., **10**. 931-932, 936-937; of N. C. line rearranged, **16**. xi; recommend men for promotion, **11**. 799-800.
old and new in Va., **14**. 560-561.
old N. C. battalions reduced and reformed, **13**. 426.
operations of reviewed, **11**. x-xix.
opposition to raising of, **10**. 265; to recruiting, **11**. 490.
order of war office on officers, **13**. 796.
ordered back from S. C., **11**. 704, 705, 707-708, 710; north, **11**. 349, 353, 383, 397, 408, 411-412, 424-426, 427, 444, 456; to join Washington, **11**. 602, 603, 605, 705, 833, 834; under Capt. Medici, **12**. 67, 72; out, **15**. 547; with object of aiding Va., **11**. 584, 585, 588; to Billingsport, **11**. 733; to N. C. to recruit and then to south, **14**. 292-293; to Va. and to the north, **11**. 614-615, 616.
orders in regard to conduct of movements of, **12**. 453-548; on payments to, **10**. 828; to, **11**. 757-758; from Burke, **16**. 233.
organized, **9**. 1256.
organization of, **10**. 284-289, 291-294, 516-519, 520, 530-532, 558, 559; **12**. 792; **13**. 147, 148, 159, 161, 173; discussed, **11**. ix-x.
outfit for needed, **11**. 301-302.
outnumbered by tories, **17**. 990-991.

paid, **11**. 602, 603; by S. C. while in that State, **14**. 99, 105.
papers on N. C. troops in Federal army ment'd, **16**. 25-26.
Parish to Caswell on election of officers, **13**. 429.
paroles by officers to be investigated and relief for, **16**. 32, 47, 58, 61, 64, 75, 80, 83, 85, 101, 102, 111, 122, 171, 173, 176.
paymaster for, **10**. 687; appointed, **12**. 194-195, 364; and commissaries for, **10**. 965-966; summoned to Prov. Cong., **10**. 924.
payments for, **10**. 621, 622, 623, 624, 628, 629, 630, 633, 639, 682, 687, 694, 695, 699, 874, 879, 920, 938, 942, 966, 988, 992; **21**. 444; allowed for enlistments, **10**. 508; allowed for wagons, **13**. 847-848, 877, 939, 940, 969; for wagons and carts, **13**. 780, 781; and bounties for, **10**. 740-741; asked, **11**. 298; discussed, **6**. 111-112; **10**. 586, 743, 757; in French war, **5**. 110; for supplies for wanted, **17**. 466-467, 500; for wagons, &c., **18**. 822; in paper, **17**. 38; of officers increased, **14**. 322; provided, **11**. 307-308; to be asked for, **15**. 404; to be made to, **11**. 748.
pensions and provisions for, **14**. 301-302.
permission to enlist in S. C. regts. asked, **14**. 32.
petition from, **16**. 43-44, 45, 48, 51.
plan for raising and regulating considered, **10**. 196-201; of raising Sheppard's battalion, **11**. 738.
Polk resigns as colonel, **13**. 451.
pork for, **22**. 941.
power of C. C. to raise, **17**. 81.
proc. on deserters, **22**. 918.
promotions in, **11**. 443-445, 580, 788; **12**. iii; **16**. 312; and reductions in, **11**. 583; discussed, **11**. 677-678; **12**. 490; **13**. 392.
protest against appointment of Hand to command of, **11**. 750-751; against neglect and results, **14**. viii.
provision for, **10**. iv, 362, 588, 692; for extra troops and bounties, **12**. iii-iv; for supplies to, **24**. 418; for, **11**. 602, 611-612, 619, 632; **12**. 558-559; **13**. iv, 16-17, 259, 260-261, 266, 269-270, 276, 282, 284-285, 293, 294, 313, 315-316, 318, 319, 320, 322, 324, 334, 336-337, 495; **14**. 159, 164, 165, 166-168, 170-171, 173, 179-180, 224-226, 295, 392, 513, 515, 519, 521, 522-523, 525-526, 530, 533, 535-536, 543-545, 547-548, 554, 556-557, 561, 594, 607, 638, 639, 640, 641, 658, 720, 729-730, 736, 737, 741-742, 752, 757, 758-759, 762, 770, 771, 782, 783, 800, 840, 856, 863; **15**. 314, 315, 316, 319, 325, 327, 333, 343-344, 347-348, 352, 356, 357, 362, 389, 410-411, 413, 414, 415, 416, 441-442, 449, 450, 457, 469-470, 472, 473, 475, 476, 479, 480, 486, 493-494, 505, 506, 516, 517, 520, 521, 524, 529, 539-541, 599, 636, 648-649, 650, 659, 664, 674, 701, 714, 743, 769-772, 775, 776, 779; and clothes for to be purchased, **12**. 576, 577, 679, 680; and pay for, **11**. 407-408; **22**. 936; and supplies for considered, **13**. 272-273; and wagons for, **14**. 394, 395, 396, 397, 398, 404, 405, 408, 409, 411, 412, 413, 414; borrowed and issued, **16**. 266; bought and sent north, **13**. 33, 39, 41, 42, 44, 45, 52, 60-61, 69, 74, 94, 105, 113, 114, 119, 134, 253, 310-311; collected for, **14**. 415, 416, 417, 418, 419, 420, 422, 424, 425, 426, 427, 429, 430, 431, 434, 440, 442, 445, 446, 447, 448, 449, 450, 451, 454, 455, 456, 457, 458, 459, 460, 462, 464, 465, 466, 469-470, 473, 481, 485, 489, 491, 492, 493, 494; discussed, **11**. 432; needed, **13**. 460-461; **15**. 17-18, 64, 69-70, 76, 98, 99, 139, 151, 174, 179, 182, 196, 198, 206; rise in price, **11**. 439-440, 444; to be bought, **10**. 471; **22**. 959; to be sent north, **11**. 656; to be sold, **10**. 697-698.
quarters for considered, **10**. 739.
Raiford on condition of, **13**. 472-473.
raised, **10**. 1038; **19**. 909-911; **22**. 516; against Cornwallis, **17**. vii; by Prov. Cong., **10**. 370, 371, 499; for aid of S. C. and Ga., **15**. 737-738; in Pitt Co., **10**. 422; to disarm tories, **13**. 643-645, 647, 733.
raising of difficult, **15**. 641; discussed, **13**. 31; **15**. 673; for the north discussed, **11**. 430-432; in New Hanover, **14**. 35-36; to guard magazine considered, **11**. 591-592.
rangers to be raised and stationed on frontiers, **12**. 160, 170, 334-335, 345-346.

rank of officers settled, **12**. 528; to be settled, **12**. 548.
rate of pay of officers, **12**. 534.
rations to, **10**. 315, 361, 733; discussed, **10**. 586, 587.
rearrangement of officers, **16**. 575-577, 578, 607-610, 612.
reasons of Boyes for enlisting, **11**. 753-754.
recalled from Ga., **10**. 880.
receipts given for recruits, **14**. 125, 131, 134.
recruited, **14**. 827; **16**. 42-43, 409, 410, 455-457; **22**. 927-9; and expenses, **15**. 334-336, 351; for Ga. in N. C., **11**. 350.
recruiting and its success, **11**. 500, 501; difficult, **13**. 52-53; discussed, **13**. 167-168, 174; **15**. 421; **16**. 6, 7; failure and reasons, **11**. 522, 523, 574, 578, 579, 645, 737; for Va. in N. C., **11**. 479, 783; in the North not successful and indolence of officers, **11**. 450; instructions on requested, **12**. 83-84; needed, **16**. 240; and equipments, **13**. 75-77; officers left in N. C. for, **11**. 524, 566, 575, 579, 595, 597, 601, 605, 616, 673-4, 738, 805-6; slow, **11**. 457; success in, **11**. 574, 679, 684, 714; troubles in Newbern, **13**. 144-145, 156.
recruits put under command of Hogun, **12**. 820; reports to be made on, **11**. 664.
reformation in discipline of, **13**. 1.
reformed by C. C., **14**. 226.
refuse to march for lack of money, **13**. 165.
regiments consolidated, **11**. 761-762; **15**. 765; should be filled up, **10**. 870; to be disbanded, **13**. 832, 921, 924; to be filled, **22**. 955; regulations, **10**. 358-360; by Cont. Cong., **12**. 820; on enlistments, **10**. 520, 521; on impressment of supplies, **10**. 574-575; on length of enlistments, **10**. 543-544; on payments to, **10**. 942, 943; of Sheppard's regiment, **12**. 19, 31.
reinforcements to, **14**. 398-399, 424, 434, 458, 579, 583, 627; and supplies to, **14**. 573-575.
relief provided for, **17**. 467.
remarks on, **15**. 765.
rendezvous at Charlotte, **14**. 170, 171; at Halifax, **13**. 53.
rendezvousing of, &c., **16**. 638, 639, 643, 644, 645, 654, 699; considered, **15**. 476.
reorganized, **16**. 391-393, 649-651.
reports on, **16**. 512; **17**. 797, 883-884; ct. of inquiry on discharges, **11**. 811; of court on rank, **11**. 339; of detachment under Sumner, **15**. 703; on arrangements and officers of, **13**. 469-470; on balloting troubles in Guilford, **13**. 446-447; on clothing needed by, **11**. 784; on condition of wanted, **14**. 163-164, 174; on court martial of Granbury, **11**. 790-794; on enlistments of, **14**. 55, 141, 149-150, 178-179, 239; on from Franklin Co., **14**. 46; from S. C., **14**. 157-158; on garrison of Charleston, **15**. 398; on number furnished by N. C. wanted, **17**. 82; on officers and men in N. C. battalion, **13**. 343-344; on officers and supernumeraries, **15**. 715-716; on organization of, **12**. 848-849, 854; on recruiting, **22**. 759-60; on reënlistments of, **13**. 718; on supplies to by Edenton and Winton, **16**. 484-486, 495-496; on those from Halifax Co., **14**. 47; on those in prison, **15**. 532; on those in south ment'd, **14**. 502; on those surrendered at Charleston, **14**. 815-818; on those near Cross Creek, **15**. 73; on wagons and horses, **16**. 675.
request for from King, **8**. 264.
requisites needed for, **15**. 422-423.
resignations allowed, **11**. 810; **12**. 436, 446; and promotions, **11**. 376; not allowed, **12**. 284-285.
resolution of C. C. on raising new quotas, **15**. 669-670; on enlistments, furloughs, &c., **12**. 808, 809, 870-871; on half pay and lands for, **15**. 740-741; on movements of, **13**. 676; on officers, **12**. 286; on officers in Cont. Army, **12**. 125, 126; on officers to command light horse, **13**. 621-622; on payment of, **17**. 438; of officers, **12**. 94; **15**. 646; on resignations from, **12**. 685-686; of officers, **11**. 807-808, 812; repealed, **12**. 580-581; to discharge A. Q. M. G., **12**. 78; to pay officers and men, **12**. 160.
returns of, **10**. 802, 803, 857-859; **11**. 563-564, 610; **16**. 659, 722; and arrangements of considered, **15**.

643-644; and preparation for movement North, **11**. 518-519, 520-521; and success in recruiting, **11**. 506-507; of company under Temple, **15**. 739-740; considered, **12**. 828, 831; made, **11**. 614; to war office, **14**. 73; N. C. brigade, **15**. 768; N. C. line, **15**. 420; N. C. troops in Cont. Army, **11**. 667, 676, 690, 700, 703, 729; **13**. 365, 366, 377, 391, 410, 423, 428, 445, 457, 458, 479-481, 487-488, 503, 504-531; under Washington, **14**. 360-375; officers surrendered with So. army, **14**. 860; provisions issued to, **15**. 597; reënlistments, **15**. 749-750; second regt., **16**. 271; of those rec'd at Kingston, **16**. 483; of those under Howe, **11**. 353; under McIntosh, **11**. 824; under Waddell, 1758, **15**. 760; of those in Carthagena expedition, **15**. 752-760; to be made and commissions made, **11**. 412; wanted, **14**. 449.

rewards for deserters, **12**. 379, 394.

revolt, **17**. 990.

Richardson on movements and condition of and answer, **14**. 63-64, 65-66.

riots in Newbern over enlistments, **13**. 142-143.

rolls of artillery companies, **15**. 734; of Davidson's company, **14**. 294; of first N. C. battalion, **15**. 718-733.

roster and commissions of, **11**. 432-433; of N. C. t., **16**. 1002-1197.

route of transportation to, **13**. iv.

rum for, **14**. 133.

Rutherford on movements of troops in S. C. and Ga., &c., **14**. 20-22.

Rutledge on movements of, **15**. 368; on provisions for, **11**. 464-465.

salt for, **10**. 828; to be furnished to, **12**. 154.

salt provisions needed for, **10**. 787.

Scarlock commissary of, **13**. 901, 902, 993.

Selby on warrants of, **18**. 796-798.

sending of to N. C. considered, **7**. 189; to S. C. and Ga. considered, **14**. 15.

sent home for lack of supplies, **16**. 725; to aid of Moore, **10**. 572; to Charleston, **15**. 745; to Jamaica, **4**. 575; to North, **15**. 701, 702; to N. C. from Va., **15**. 610; to S. C., **10**. 924, 928-929, 931, 932, 936-937, 938, 939, 942, 943, 947, 949, 950, 951, 958, 961; **13**. 224; **14**. v, vii, x, xi, 4-5, 37, 43, 60-61, 67, 73, 77, 78, 79, 83, 87, 100, 102, 103, 110, 112-113, 127, 143, 151, 160, 162, 175, 188-189, 192, 196, 205, 206, 209, 211-212, 220, 224, 229, 230, 233-234, 254, 255, 260, 261, 284-285, 292-293, 296, 298, 312, 320, 324, 325, 326, 333, 335, 336, 338, 341, 343, 344, 347, 352, 356, 357, 358, 359; **16**. xi; number and condition, **13**. x-xii; to S. C. and Ga., **14**. v.

service of at Valley Forge, **13**. iii.

settle rank, **11**. 716.

settlement of accounts with, **16**. 745-747, 753-754, 761-762, 782, 784-785, 811, 819-821, 826-832, 836-837, 838-839, 848, 852-855, 884, 898-900, 917, 961; **17**. 77, 568-571, 604-605; **17**. 470-471; of officers, **17**. 1051-1053.

Sheppard on needs of his regiment, **13**. 48-49; on recruits, **11**. 472; recommended to command of battalion, **11**. 728; to Caswell on, **13**. 82-83.

Sheppard's battalion put on Cont. establishment, **11**. 507-508, 559.

sheriffs and entry-takers to advance money for, **12**. 850; for recruits, **12**. 621, 624; to produce receipts for sums paid for, **12**. 784, 793.

shoes for, **11**. 366; and breeches for, **10**. 849; and leather for, **14**. 443; needed for, **14**. 384, 387, 388, 442, 448.

sick removed from Halifax, **14**. 378-379.

sickness among, **10**. 663, 667-669; **14**. 400, 401; to be reported, **11**. 337.

size of N. C. brigade, **11**. 832-833.

Skinner resigns as brig.-gen., **14**. 301.

slow movement of, **11**. 456.

S. C. and Ga. forbidden to recruit in N. C., **12**. 35.

S. C. to recruit in N. C., **10**. 924, 928.

specie sent to, **15**. 58.

spirits not to be issued to, **13**. 751, 804, 805, 807.

State orders, **16**. 272-273.

stores for considered, **15**. 518, 521, 524.

substitutes, **16**. 264; discussed, **15**. 587-588.

success in recruiting, **11**. 494-495.

sufferings of at Valley Forge, **13**. vii, viii.

Sumner asks leave to join those of N. C., **11**. 745; on character and officers of, **13**. 189-190; on condition, **14**. 48, 64; on rank and condition, **11**. 458.
supernumerary officers not reduced, **22**. 978.
supplied by Borden, **11**. 517; on contract, **16**. 8.
supplies for, **10**. 286, 576; **13**. 139, 141, 607, 712; **14**. 175, 273, 377-378, 384, 624, 625, 627-629, 642-643, 644-646, 648-649, 650, 654, 660, 662-663, 673, 687, 691, 696, 697, 706, 707, 727, 729-730, 734, 735-736, 756, 806, 811-812, 829, 834, 835, 837, 839, 840, 845-846, 850; **16**. 339-340; **22**. 920, 927, 953, 954, 957, 961, 963, 965, 1013-15, 1016, 1017-19; bought, **10**. 821; considered, **16**. 7, 8, 9, 10; from W. I., **14**. 204; needed, **14**. 224, 236-337, 380; **22**. 909; to be sent to in S. C., **11**. 315.
support of considered, **16**. 625.
taken into Continental service from N. C., **10**. 604; **22**. 517, 968.
tent cloth for, **10**. 879.
thanked by Cont. Cong., **12**. 500; by Va., **10**. 364.
third reg't disbanded and new one to be formed, **14**. 70-71.
threaten to leave S. C., **14**. 263, 270.
to be collected and marched to Kinston, **13**. 572, 574; by Murfree, **15**. 635.
to be divided into two brigades, **22**. 953.
to be furnished for reduction of East Florida, **13**. 279.
to be gathered together, **22**. 953.
to be paid and sent north, **11**. 564-566; by Cont. Cong., **10**. 192; by C. C. only, **16**. 380-381.
to be located near Charlotte, **14**. 755.
to be raised, **10**. 286, 546-547; **17**. 891; **19**. 889; against Spaniards, **4**. 633; and bounty for, **15**. 197-198; and officers for, **10**. 941-942; by Va., S. C., and Ga., **10**. 455; for French war, **11**. 140-142, 145-146; in N. A. colonies, **4**. 553.
to be sent to S. C., **15**. 53.
to join Washington and to be recruited, **11**. 374, 375; **12**. 12-13, 14-15, 59-60.
to rendezvous at Hillsboro, **15**. 432, 433.
treasurer instructed to draw on Cont. Treasury for, **12**. 8.
trouble among, **11**. 334; to by rise in price of provisions, **11**. 472; in feeding, **5**. xi-xii; in recruiting, **11**. xiv, 397; trouble over flag of truce captured, **16**. 30; over rank, **11**. 445; to feed from lack of money, **16**. 430-434; with, **10**. 611; with from lack of money. **11**. 489-490, 494; with in Anson, **13**. 150-151, 158-159; with those of Linton, **17**. 845-846, 847.
uniform of, **10**. 198.
use goods of Va., **11**. 498.
vacancies in artillery companies to be filled, **12**. 140, 141, 156, 297-300, 307; to be filled, **16**. 91.
Vance asks pay for, **11**. 676.
Virginia on furnishing provisions to, **7**. 748.
volunteers wanted, **14**. 551-552.
wagons to be bought for use in transportation, **13**. 192; to be impressed for, **15**. 63-64.
Ward's services to as physician, **11**. 547.
Washington on bounties for, **14**. 59-60.
whiskey, brandy, &c., to be bought for, **13**. 408.
Williams on payment of troops and filling of vacancies, **11**. 581; on returns of, **11**. 740; reports on 9th regiment, **11**. 486.
wishes of N. C. in matter of general officers, **11**. 381.
wounded at Camden, **14**. 559.
Zollicoffer to Caswell on his appointment as captain, **13**. 422.
Tropel, Pritchard, petitions for extension of power of J. P.'s, **7**. 874-875.
Trotman. See Trottman.
Trotman, Amos, in militia, **22**. 357.
Trotman, Amos, petitions on county bounds, **9**. 633-634.
Trotman, Demsey, in militia, **22**. 357.
Trotman, Ed., in militia, **22**. 357.
Trotman, Jemay, petitions on county bounds, **9**. 633-635.
Trotman, Q. H., Baptist minister, **5**. 1180.
Trotman, Thos., army pay, **17**. 252.
army rank, **16**. 1174.
Trott, Lewis, land grant to, **4**. 854, 1246.
Trott, Lewis, Jr., in militia, **22**. 338.
Trott, Lewis, Sr., in militia, **22**. 338.

Trott (Trot), Nicholas, **2.** 519, 759.
church commissioner, **2.** 874.
Collection of Laws ment'd, **2.** 582, 883.
gov. of Bahamas, **1.** 466.
opposes Fundamental Constitutions, **2.** 905.
salary due to, **2.** 723.
seized by Cary, **1.** 801.
signs S. C. acts on oath and church, **2.** 867, 882, 913-917.
turned out of office, **1.** 546.
Trotter, ——, contempt case, **4.** 502.
Trotter, ——, quarrel at house of, **3.** 474.
Trotter, Mr., claims, **4.** 529.
Trotter, James, boat seized and sold, **3.** 227.
claims, **4.** 149.
coms'r on navigation, **23.** 375.
defies Everard, **2.** 832.
law suit, **2.** 758, 760, 762.
witness, **2.** 832.
Trotter, James, claims allowed, **22.** 400.
Trotter, James, juror, **4.** 516.
land grant to, **4.** 72, 217.
oath taken, **3.** 405.
rights proved, **4.** 627.
Trotter, Mary, land grant to, **4.** 273.
Trotter, Rich'd, allowance to, **19.** 364.
to receive letters, **21.** 173.
Trotter vs. Northy, case recited, **3.** 225.
Trottman. See Trotman.
Trottman, Ed., quit rents of, **22.** 257.
Troublefield, Benj., army pay, **17.** 253.
Troublesome Creek, **19.** 221.
Amer. retreat to, **17.** 1005, 1010.
Greene on, **16.** viii.
requisition from, **8.** 715.
Troublesome Iron Works, **22.** 103, 106, 131, 148.
Troudale, Wm., petitions, **19.** 933.
Troughton, Capt., to Burke on clothes, **22.** 614-15.
Troughton, Swan (Swann), allowance to, **16.** 169.
promoted, **19.** 309.
Troulenger, Michael, petition on C. H., **9.** 806-807.
Troulouse, Count de, **17.** 608.
Troup, Robert, to Caswell on returns from State treasury, **14.** 232.
Trousdale, John, asks pardon for Fruit, **9.** 93-94.
Trousdale, Wm., asks pardon for Fruit, **9.** 93-94.
Trousdale, Wm., petitions for extension of power of J. P.'s, **7.** 874-875.
Trout, Jacob, pensioner, **22.** 88.
Trowell, John, in army, **15.** 729.
Trowell, Wm., army pay, **17.** 263.
army rank, **15.** 729; **16.** 1168.
Troy, ——, petition on salt and answer, **14.** 444-445.
Troy, Mr., and Dunn case, **19.** 901.
defends Dunn, **10.** 676.
Troy, Mr., sells lead, **10.** 316.
Troy, Jas., army rank, **16.** 1171.
Troy, Matthew, a J. P., **23.** 994.
certifies to bond, **16.** 473.
coms'r on school, **24.** 691.
furnishes certificate to Burke, **16.** 181.
in assembly, **12.** 817, 872, 879; **19.** 379, 397; on com. of assembly, **12.** 857.
on Rowan com. of secrecy, &c., **10.** 312.
to make carriages for cannon, **10.** 351.
to report on powder, **10.** 135.
Trubody, John, petition, **18.** 166, 195-196, 382, 392.
Truby, Michael, transports goods to N. C., **10.** 851, 853, 854, 857.
Truchille, Thomas, land grant asked, **4.** 707.
Trueblood, Abel, in militia, **22.** 351.
Trueblood, Amos, quit rents of, **22.** 251.
Trueblood, Caleb, in militia, **22.** 351.
Trueblood, Dan'l in militia, **22.** 351.
Trueblood, Elizabeth, quit rents of, **22.** 251.
Trueblood, Fisher, in militia, **22.** 351.
Trueblood, Joshua, in militia, **22.** 351.
Trueblood, Josiah, in militia, **22.** 351.
Trueet, Loto, soldier, **18.** 797.
Truehill, Thos., land grant to, **4.** 712.
Truehitt. See Trewhit, Truet, Truit, etc.
Truehitt (Treuit, Treuvit, Truwhit), Levy, account of, **1.** 801-802.
sent to Eng. for trial, **1.** 800, 806-807.
to be seized, **1.** 776-777, 778.
Truehitts, Levi, land grant to, **4.** 709.
Truelock, Sutton, army rank, **16.** 1170.
Truelove, Eliz., quit rents of, **22.** 257.
Truelove, Timothy, juror, **2.** 548; **25.** 185.
surety, **2.** 442.
land grant to, **4.** 588.

Trueman. See Truman.
Trueman, Maj., fights the Susquehannahs, **2.** 643.
Truet. See Truit, etc.
Truet, Stephen, in army, **13.** 505.
Truett, Stephen, in army, **21.** 89.
Truett, Wm., army rank, **16.** 1175.
Truheek, Sutton, in army, **13.** 518.
Truit. See Truet, etc.
Truit, John, petitions Martin for protection, **22.** 891.
Truit, Stephen, army rank, **16.** 1168.
Truite, ship, **15.** 37.
Truitt (Trueet, Truit), Franklin, army pay, **17.** 253.
army rank, **13.** 506; **16.** 1168; **18.** 797.
Truitt, Solomon, army pay, **17.** 253.
Truitt, Stephen, army pay, **17.** 253.
Trull, Jos., in militia, **22.** 374.
Trull, Thomas, regulator, **8.** 80.
Truman. See Trueman.
Truman, ——, prisoner, **16.** 673.
Truman, Thomas, on council Md., **1.** 151.
Trumble, Col., **11.** 660.
Trumbull, ——, commands Br., **14.** 646.
Trumbull, Col., location, **14.** 614.
Trumbull, Anne, administratrix, **1.** 620, 623, 624.
Trumbull, John, juror, **1.** 589.
Trumbull, Jos., Hooper to on bombardment of Boston, **10.** 484-485.
Trumbull, Simon, accounts against estate of proved, **1.** 623, 624.
claim on estate of, **1.** 620.
juror, **1.** 590.
new administrator appointed, **1.** 625.
Truner, Willis, army pay, **17.** 252.
Truro, 2. 480, 481.
Trusell, Daniel, army pay, **17.** 253.
Truss, Samuel, in militia, **10.** 99.
Truss, Samuel, petitions for Tyson, **16.** 580-581.
Trusts, Congress forbidden to create, **22.** 22.
Trusty, Wm., takes oath, **22.** 179.
Tryal, brigantine, sails to St. Croix, **11.** 634.
Tryer, Martin, land grant to, **4.** 595.
Tryer, Wm., land grant to, **4.** 1248.
Tryon, Mr., ment'd, **2.** 220.
Tryon, Miss, 8. xxxiv, 181.
aids Germans, **8.** 632.
relieves Jones, **8.** 24.
Tryon, Lady, 7. 716, 745; **8.** xxxviii, xxxix, 3, 181, 625.
health of, **7.** 180.
insult to revenged, **8.** 725.
title desired for, **8.** 726.
Tryon, Gov. William, 4. iv; **5.** xxiv; **6.** xxvii, 1249-1250, 1253; **7.** ix, 33, 97, 191, 192, 197, 233, 253, 436, 691, 835; **8.** vi, xi, 51, 55, 60, 64, 86, 127, 157, 159, 231, 502, 507, 518, 528, 600, 740; **9.** iii, iv, xii, xx, xxi, xxiv, xxv, xliv, 1, 3, 4, 5, 9, 13, 16, 17, 19, 20, 21, 46, 49, 57, 60, 63, 65, 67, 68, 77, 78, 100, 101, 102, 103, 106, 125, 142, 196, 197, 198, 209, 210, 211, 234, 245, 247, 249, 255, 263, 265, 270, 299, 373, 613, 620, 646, 649, 799, 800, 960, 973, 991, 1021, 1092, 1158, 1228; **10.** xxvi, xxvii, 243, 403, 430, 449; **11.** facing 80, 210, 228, 499, 725; **12.** 248; **15.** 253, 258, 763; **19.** 972; **22.** 167, 481, 482, 852, 854, 858, 859, 861, 863, 865, 871, 872, 873, 874, 875; **25.** 494, 510, 513, 514, 518, 519*a*, 520.
action on stamps, **7.** vi-vii.
addresses to and from legislature, **7.** 41-44, 44-45, 46, 62, 63-64, 65-66, 66-67, 71, 73-74, 77, 292-295, 297-298, 299, 333-334, 335, 339-340, 344, 347, 347-350, 355-356, 360-361, 362, 372-373, 374, 375, 385, 386-387, 390, 395, 404, 408, 414, 415, 416-417, 419, 421-422, 550-552, 553-554, 555, 566, 567, 569-570, 572, 576, 581, 589, 624, 630, 641, 653, 656, 659, 660, 664, 665, 666, 667, 669, 670, 683, 890-894, 895-896, 922, 925-927, 930-932, 933-934, 935, 939, 946, 950, 952, 959, 974, 976, 979, 985, 986; **8.** 86-89, 91-92, 93-94, 100-101, 104-105, 109, 113-115, 118, 125, 126, 128, 130-131, 134, 135, 136, 137, 138, 140-141, 282-286, 287, 289-290, 292, 306-307, 308, 310, 311-313, 316-317, 318, 328, 329, 330, 333, 334, 345-346, 378, 381, 382, 383, 385, 386, 390, 392, 399, 404, 408, 410, 412, 415, 416, 417, 419, 421, 425, 430-431, 433-434, 435, 438, 439, 440, 442, 445, 446-447, 448, 449, 450, 452, 454, 456, 457-458, 462, 463, 464, 465, 467, 468-469, 470, 471-472, 473, 474, 476.
addresses to asking aid in passing court act, **9.** 786-787; from Anson Co. on regulation, **7.** 806-809; from

regulators, **7**. 810-813; on regulator troubles, **8**. 543-544.
administers oath to regulators, **10**. 1017-1018.
advises against new legislature, **9**. xii, xiii.
agreement with Cherokees on boundary, **7**. 268, 469-471.
aids Brunswick church, **7**. 515; church, **7**. 424; Germans, **8**. 632; in securing payment of salaries to clergy, **7**. 265.
allowance to for aid to Scotch families, **7**. 618, 653, 654, 659, 666.
and Cherokee line, **7**. 279.
and Estab. Church, **7**. 494.
and regulation war, **7**. xiv-xxxiv; **8**. iii, iv, vi, vii, xi, xii, xx, xxiii, xxvi, xxvii, xxviii, xxx, xxxi, xxxii, xxxvi.
and S. C. boundary, **11**. 221, 222, 224, 225.
answer to petition of regulators in Orange, **8**. 642; from Anson, **7**. 809-810.
appointed gov., **6**. 1063; **7**. 147; to N. Y. ment'd, **8**. 619.
appoints Cherokee boundary commissioners, **7**. 469.
arrests Husband, **8**. xxv.
arrives, **5**. xxxii; **6**. 1053, 1054, 1061.
assents to laws, **7**. 60-61, 85, 88, 338-339, 377, 389, 419-421, 623, 667, 668-669; 670, 920-921, 924, 976, 977-978; **8**. 104, 125, 130, 132, 137, 139-140, 143, 144, 148, 383-384, 386, 404, 411, 417, 419, 425, 428-429, 438, 450, 452, 467, 470, 472, 476, 477-479.
at Alamance, **8**. 653.
"Atticus" to on his career, **8**. 718-727.
banished N. C., **17**. 151.
bargains with legislature, **8**. xii-xiv.
Board of Trade to on laws of 1768 and 1769, **8**. 264-267; on payment for Catawba survey, **7**. 113; on public affairs, **7**. 131-133.
bond taken in name of, **7**. 683-684.
Boston Gazette on, **8**. 639.
breaks promise to regulators, **8**. 637.
calls out troops against regulators, **8**. 697.
Caswell reports to on movement of regulators, **8**. 500-501.
character of dispatches of, **9**. iv.
charters Hillsboro, **8**. 215-217, 251, 255.
Cherokee name for, **7**. 219, 508; **8**. 720.
cited on regulation, **9**. 1.
claims allowed, **8**. 355, 385, 386.
commission as lieut. gov., **6**. 1043-1044, 1045.
commissions Avery as atty., **8**. 228; members of council as J. P.'s, **7**. 730-731; Moore and Shaw in regulator army, **8**. 699-700; Nunn as sheriff of Orange, **7**. 91.
compared with Scipio and Wolfe, **8**. 640.
conduct in regulation praised, **10**. 1025.
consults leaders on Stamp Act, **7** 125, 127-130, 169-174.
continues collection of taxes for sinking fund, **7**. xvii.
contracts to erect palace, **23**. 664.
Conway to on repeal of Stamp Act, **7**. 193-195.
corporation of Wilmington to on repeal of Stamp Act and answer, **7**. 222-223.
court law of, **9**. xxii.
criticised on dissolution of assem., **8**. 183.
criticisms on considered, **7**. 272.
delays presentation, **7**. 789-790.
demands army supplies from Quakers, **8**. 610; **9**. 355.
deposits stores in palace, **10**. 273.
destroys fields of Husband, **8**. xxiv.
disbursements by, paid, **8**. 98; under orders of, **22**. 495-6, 498-500.
dissolves assembly, **7**. xxiv; **8**. 38; by proclamation, **7**. 135.
Dobbs resigns from council, **7**. 428.
does not try to execute Stamp Act, **7**. x-xi.
Drage to on church affairs, **8**. 179-181; on struggle with Dissenters in Rowan, **8**. 202-210.
Duckenfield to on precedency in council and answer, **8**. 624-626, 628.
ecclesiastical affairs under, **8**. xliii-xlv.
efforts for church, **7**. 284.
Egremont to on enforcement of navigation acts, **7**. 95-96.
excuses Frohock from service against regulators, **8**. 701.
expedition against regulators, **22**. vi.
extravagance of, **7**. xii, xiii.
fails to exert influence in England, **9**. xix.

Fanning to on regulators, **7**. 744-745, 751; on regulators in Orange Co., **7**. 713-716.
finds sympathy with regulators in east, **8**. iv.
Fiske to on his work, **7**. 872.
friend to N. C., **9**. 1208; to Tomlinson, **9**. 240.
Frohock and Martin to on proposed settlement with regulators, **8**. 533-536.
gains victory over regulators, **8**. 584.
gets capital moved to Newbern, **25**. v.
gets pay for moving furniture, **8**. 408-409, 410, 411, 412.
goes to N. Y. as gov., **8**. 277, 498, 600.
gov'r, **23**. 664, 687, 688, 758, 783, 784, 787, 849.
hangs Few, **9**. vi.
Harris to on regulators, **7**. 863-864.
hastens on regulation, **7**. xxii-xxiii.
held a prisoner over Stamp Act, **8**. ix-x, xxi.
helped by Providence against regulators, **8**. 615-616.
Henderson to on counterfeiting, **8**. 529-540; on regulator riots in Hillsboro, **8**. 241-244.
Hendry repudiates regulation to, **7**. 816-817.
Heron's and Rutherford's memorial to on condition of rent roll, **7**. 524-526; **22**. 877-8, 890-1.
Hillsborough to on assembly, **7**. 788-789; on currency, **8**. 247; and agent, **8**. 51; on Indian affairs, **7**. 707-709; on issue of paper money, **7**. 709; on lotteries, **8**. 185-186; on post and palace, **8**. 21-22; on public affairs, **7**. 867-868; **8**. 190-191; on regulators, **8**. 498-499; and currency, **8**. 16-18; on regulation, paper currency and salary of council, **7**. 799-800; on resolves of assembly, **8**. 170-171; on salary for council, **8**. 211; on troops for King, **8**. 264.
Houston to on Stamp Act, **7**. 198-199.
Hughes to on timber, **7**. 112-113.
imitated by Martin, **9**. xxix.
increases public debt, **9**. xvi.
instructions to, **7**. 137-142, 227-229, 231; changed for Martin, **11**. 232; on clergy acts, **7**. 507; compared with those to Martin, **8**. 512, 514-515. See also Dobbs, A., Instructions to.
issues letters on will of Dobbs, **22**. 304; proclamation for officers to retain their offices, **7**. 134; summons for election of members of assembly, **8**. 40; warrants for regulator campaign, **9**. 18.
Johnston inferior to, **4**. vii.
Johnston to on Tuscaroras joining Six Nations, **7**. 218-220.
joins S. P. G., **7**. 158, 162, 163.
Jones to on difficulties of getting ordination, **8**. 23-24.
Jones, M., to on need of solicitor gen., **7**. 425, 426-427; on forfeiture of McCulloh grants, **7**. 451-452.
journal of survey of Cherokee boundary, **7**. 991-1009.
journal on regulation campaign, **7**. 819-828; **19**. iii, v-vi, 837-854; quoted, **8**. 747.
land for palace vested in, **23**. 708-11.
land grants to, **9**. 368.
lauded and regulators condemned, **10**. 1019-1024, 1024-1025.
lays embargo on corn, **8**. 491, 499-500.
learns temper of people, **8**. xi-xii.
leave of absence to, **8**. 286, 290, 312-313, 316-317.
length of administration, **7**. iii.
letter, instructions of, &c., **6**. 1064; and papers to and from ment'd, **7**. 146, 147, 148, 150, 290, 291, 545, 546, 547, 548, 549, 987, 988, 989, 990; **8**. 164, 165, 166, 167; on provisions for Viper, **7**. 184-186, 189; to on Drage, **8**. 155; on regulators, **8**. 246-247; on Stamp Act, **7**. 168*d*.
list of fees received by, **8**. 271-272.
McCulloh on methods of, **7**. 753, 755; to on surety, **7**. 444.
makes payment to colonels of militia against regulators, **8**. 706-707.
marches against rebels and destroys property, **8**. 647, 648; through Presbyterian settlements, **5**. 1217.
Martin on regulation campaign, **9**. 16, 17; on the address to, **9**. 798.
memorial from Newbern on school, **7**. 35-36; of McCulloh on census of grants, **7**. 275-278; on Selwyn grants, **7**. 12-31.
Micklejohn on government of, **7**. 519-520.
Montague to on S. C. boundary, **8**. 563; **11**. 220-221.

Moore, M., to on regulators, **8**. 178-179, 192.
Morton on, **7**. 520.
N. E. Quakers to on regulators, **8**. 618-619.
objections against S. C. boundary quoted and answered, **8**. 555-561.
offers protection to regulators, **7**. xxii.
on beginnings of regulation, **7**. xx, xxi.
on character of regulators, **8**. 655.
on civil constitution of N. C., **7**. 472-491.
on difficulty of paying taxes, **7**. xix.
on extortions in taxes, **7**. xvii; of county officers, **7**. xv.
on whipping of Orange sheriff, **7**. xxiv.
opposes Harvey, **9**. xlvi.
order book in campaign against regulators, **8**. 574-601.
orders biscuits for troops, **7**. 869-870; Dalrymple to obey captains of Viper and Diligence, **7**. 180; land patents from S. C. to be registered, **7**. 11; militia musters, **8**. 679-680; on march against regulators, **8**. 659-676; militia of Orange out, **8**. 686-687; Rowan militia out, **8**. 684-685; to Armstrong and Lanier, **8**. 713; to troops, **7**. 828-834; Waddell to join army, **8**. 713.
pays regulation bills, **22**. 420, 421, 422, 424, 425, 426, 428, 439, 440, 441, 448, 449, 455, 456, 458, 459, 461, 462, 465, 466, 467, 468, 473, 475.
petition to of Orange regulators for pardon, **7**. 770-771; against fees in Orange, **7**. 733-737; for repeal of marriage and vestry acts, **10**. 1015-1017; from Orange and Rowan cos. on correction of grievances, **8**. 81-84; from Orange Co., for inspection of warehouse, **8**. 80*a;* from Orange on enlarging powers of justices, **7**. 874-875; from Rowan on lack of Estab. Church, **8**. 219; from regulators to for peace, **8**. 640-641; from St. Luke's Parish, **8**. 154-155; from Tryon Co. on marriage act, **8**. 80*b;* on lack of money, **7**. 866-867.
plantation of ment'd, **17**. 152.
plots against Washington, **10**. 617.
population and taxables under, **8**. xlv-xlvi.
Pownall to on acts of assembly, **6**. 1049-1050; on proposed settlement by the Sieur Closen, **6**. 1050.
presents account of expenses for presents to Cherokees, **8**. 144.
presides at council, **7**. 4-7, 8-9, 10-31, 34-35, 37-39, 118-120, 133-137, 168, 187-188, 227-232, 258-259, 271-279, 427-428, 446-447, 449-454, 501-506, 523-529, 532-535, 672-676, 690, 702, 720-722, 729-730, 750-752, 783, 784-785, 792-794, 800-806, 850-851, 870-871, 872-874, 875-876, 883-884; **8**. 25-27, 36-38, 148-150, 160-164, 191-193, 199-201, 249-255, 258-260, 262, 268-270, 272, 480-481, 490-491, 497-498, 499-502, 536-540, 543, 549-551, 623-626.
proclaims Wentworth surveyor gen. of woods of N. A., **7**. 450-451.
proclamation by, **7**. 4-5; against exportation of corn, **7**. 428; against illegal fees, **7**. 795-796, 800, 801, 802, 810; against regulators, **7**. 721; against regulators and sale of firearms, **8**. 497-498; against Stamp Act proceedings, **7**. 187; allowing Hayward to raise seamen, **8**. 550; for arrest of Blake and Curlee, **8**. 201; of burners of houses of Henderson, **8**. 259; of horse thieves, **7**. 503-504; of Kinsman, **7**. 873, 881; for investigation of Hillsboro riots, **8**. 253-254; for disallowance of peddler act, **7**. 873-874; for pardon to regulators and exemptions, **7**. 850-851; **8**. 67-68; of reward for criminals, **7**. 871; of reward for regulators, **8**. 617; on Cherokee boundary and encroachments on Indian lands, **7**. 502-503, 504-506; on commission to officers, **7**. 729; on confirmation and repeal of laws, **7**. 673; on counterfeits, **8**. 250; on desertions from sloop of war, **7**. 795; on exorbitant fees, **7**. 231; on exportation of corn and grain, **7**. 225-227; on marriage licenses, **7**. 674-675; on nullity of acts of Holt, **7**. 529; of pardon to regulators, **8**. 608-609, 610-611, 613, 614, 617-618; on regulators in Anson, **7**. 751-752; on repeal of Stamp Act, **7**. 232; on renewal of civil and military commissions, **7**. 275; on seal, **7**. 532-533; on Selwyn riots, **7**. 37-38; on stamps, **7**. 168; to sheriffs and en-

forcement of laws, **8**. 193; sent to Eng., **9**. 37.
promises to secure currency act, **9**. xiv.
property confiscated, **19**. 672; **24**. 263, 424.
proposed boundary unsatisfactory to S. C., **8**. 555, 557.
prorogues assembly, **7**. 118, 188, 279, 446-447, 729-730, 752, 876; **8**. 85, 192, 261, 492, 550-551.
qualifies Cornell for Council, **8**. 226.
quits army for N. Y., **8**. 675.
raises army against regulators, **7**. xxix.
reception in N. Y., **8**. 639.
recommends petition of Germans for preacher and teacher in German, **8**. 630-631.
refuses clearance papers, **7**. vii.
regulators petition on grievances, **7**. 759-767.
reports on Alamance battle and discussion of causes, **8**. 636-629; on regulation war expenses, **22**. 441-2; on exchequer ct., **7**. 684; on supplies to army against regulators, **8**. 614, 620-621; to on regulator army, **8**. 677; trade and commerce, **8**. xlvi-xlviii.
reprieves Turner, **7**. 273.
reputation injured by the palace, **7**. xii.
requisitions for army, **8**. 715.
respites regulators, **9**. 36.
Richmond to on Stamp Act and trade regulations, **7**. 217-218.
Rochford to on regulator battle, **8**. 633-634.
runs temporary boundary with S. C., **8**. 458; **9**. xix.
Rutherford's memorial to on payment for rent roll, **7**. 229-230.
says no troops are coming to N. Y., **10**. 429.
secures aid of eastern leaders against regulation, **8**. iii.
service of in regulation war, **9**. 102, 103, 104.
sets out to N. Y., **8**. 626, 627.
Shelburne to on assuming control of So. dept. and repeal of order by King, **7**. 250-251; on Indian affairs, **7**. 254-255, 438-439; on public affairs, **7**. 471-472.
sick, **7**. 123, 125, 143, 148, 159, 167, 204, 882-883, 894, 895.
signs acts as gov., **25**. 517; against regulators, **8**. 486; Queen's College charter, **8**. 490.
Simpson to on march of regulators to Newbern, **8**. 262; on Pitt troops in regulation war, **15**. 761.
sketch of, **8**. xxxiv-xl.
son dies, **8**. 25.
South Carolina boundary run by made useless by new line, **9**. 563.
speech of Tuscaroras to on sale of lands in Bertie, **7**. 360-361.
Spencer to on regulation in Anson, **7**. 722-726.
struggle of with people, **9**. x.
Stuart to on Cherokee boundary, **7**. 164-165, 437-438; on Indian affairs, **7**. 164-165, 213-215.
supposed influence of, **8**. xiii.
surrenders command of army to Ashe, **8**. 717-718; land grant, **8**. 254.
surveyor gen. of N. Y., **8**. 230.
takes oath, **6**. 1078; **7**. 4, 133.
talk with Cherokees on boundary, **7**. 462-466.
to ——, on S. C. boundary, **8**. 561-562, 563-564.
to assembly on fees, **22**. 408.
to Barons on post route, **7**. 148-149, 166-167, 204-205, 222.
to Barrington on command of Ft. Johnston, **7**. 244, 445.
to Bp. of London, **8**. 20; on church affairs, **7**. 261-262, 456-457; on Gifford, **7**. 786-787; on induction of clergymen, **8**. 45; on McCartney, **7**. 689; on ordination of clergy, **7**. 670.
to Board of Trade on capital and collection of debts, **7**. 510-511; on Cherokee boundary, **7**. 508-509; on church and public affairs, **7**. 104-108; on death of Dobbs, **6**. 1320-1321; **7**. 2; on forts and ordnance, **7**. 245-246; on frauds in trade, **7**. 491-492; on Rev. Mr. Jones, **7**. 856-857; on Lloyd and Stamp Act, **7**. 206; on manufactures, **7**. 429-430; on public affairs, **6**. 1054; **7**. 2, 158-161, 200-202, 247-249; **8**. 627; on Simpson-Whitehurst duel, **7**. 94; on S. C. and Granville lines, **7**. 154-157; on surrender of McCulloh grants, &c., **7**. 455; on timber, **7**. 440-441; on work of assembly, &c., **7**. 266.

to Boyde on command of Ft. Johnston, **7**. 90-91.
to Bull on McClenaghan, **7**. 9; on post, **7**. 100; on public affairs, **7**. 206; on repeal of Stamp Act, &c., **7**. 221.
to Burton on Barnett's leaving N. C., **7**. 514-515; on church affairs, **7**. 457-458; **8**. 12-16; on Jones, **8**. 65; on Rev. Mr. Wills, **7**. 786.
to call out militia against regulators, **8**. 538-539.
to Cameron on Cherokee boundary, **7**. 461-462, 468-469.
to Colvill on Simpson-Whitehurst duel, **7**. 9-10.
to commissioner of stamp duties on reshipping of stamps, **7**. 436.
to Conway on Hasell, &c., **7**. 199-200; on his appointment as gov. and Stamp Act, **7**. 122-123; on reception of Stamp Act, **7**. 143-144; on resistance to Stamp Act, **7**. 168-174; on Stamp Act, **7**. 188-189, 199-200; on visit of Lord Hope, **7**. 218.
to DeLancey on need of post, **7**. 700-701; on post, **7**. 454-455; **8**. 3-4.
to Drage on dissenters in Rowan, **8**. 217-218.
to Drummond & Co. on printing paper currency, **7**. 680-681, 682.
to Ellis on Howe as com. of Ft. Johnston, **7**. 40.
to Fanning on regulators, **7**. 717-718, 719-720.
to Fauquier on Simpson-Whitehurst duel, **7**. 39-40; on Stamp Act, **7**. 190.
to Frohock and Martin on regulator settlement in Rowan, **8**. 545.
to Gage on Stamp Act, **7**. 190-192.
to Halifax on Dobbs's death, **6**. 1321; **7**. 3; on Dobbs's remaining in N. C., **6**. 1053-1054.
to Hart on feeding troops, **8**. 696, 707.
to Haywood on spirit opposing enlistments in Edgecombe, **8**. 702; on the deserting of seamen, **7**. 534-535.
to Hillsborough on Alamance battle, **8**. 609-610, 648-651, 652; on assembly, **7**. 880-881; **8**. 194; on authority of Parliament, **8**. 39; on collection of quit rents, **8**. 45-47; on Collet, **7**. 863; **8**. 65-6; on council and quit rents, **8**. 167-168; on defenses of N. C., **8**. 30-31; on Dobbs's remaining in N. C., &c., **6**. 1055; on emissions of public bills and sinking fund, **8**. 211-215; on fortifications and currency, **8**. 168-169; on his ambitions, **8**. 169-170; on his appt. as Sec'y of State, **7**. 787-788; on his promotion, **8**. 54-55; on Henderson-Person affair and regulators, **8**. 524-525; on King's instructions, **7**. 790-791; on land grants, **8**. 10; on laws of 1768, **8**. 4-7, 10; of 1769, **8**. 154-155; on laws passed and bills rejected, **8**. 522-524, 525-527; on manufactures, **8**. 154, 496; on maps and boundary lines, **7**. 860-863; on need of and report on currency, **8**. 11-12; on nominations for council, **8**. 493-494; on number of troops and cost of regulation war, **7**. 887-889; on operations against regulators, **8**. 546-549; on petition of council, **8**. 152-153; on post, **8**. 4, 65-66, 72-3; on progress on palace, **8**. 7-8; on public accounts, **8**. 152; on public affairs, **8**. 61-62, 627-628; **7**. 881-883; on quit rents, &c., **8**. 53-54, 175-178; and rent roll, **8**. 195-196; on reasons for dissolving assembly, **8**. 151-152; on regulation and regulators, **7**. 791-792, 859-860, 884-886; **8**. 31-32, 195, 248, 494-495; whose execution was suspended, **8**. 635; on release of McCulloh from quit rents, **8**. 63; on repeal of law against emission of currency, **8**. 495-496, 499; on riots in Hillsboro, **8**. 255; on S. C. line, **7**. 879-880; and palace, **8**. 210-211; on storm, **8**. 71, 73, 194; on supremacy of Gr. Britain, &c., **8**. 24-25; on taxables, **8**. 31-32; on tonnage act, &c., **8**. 532-533.
to Howe on ammunition and guns from Ft. Johnston, **8**. 680-681, 685.
to Hyde on necessity of post through N. C., **6**. 1057-1059, 1060.
to induct Wills into St. James Parish, **8**. 174, 199.
to Leech on guarding Newbern against regulators, **8**. 683-684.
to Lobb and Phipps on Stamp Act proceedings and answer, **7**. 179, 180, 181.
to Lobb on refusal of provisions to Viper, **7**. 184-185; on spiking of Ft. Johnston guns and answer, **7**. 181-182.

to Lords of Treasury on Stamp Act, **7**. 195-196.
to McCulloh on Selwin grants, **7**. 6.
to march against regulators, **8**. 552.
to militia commanders on organization of against regulators, **8**. 540-542.
to Mitchell on goods for Cherokees, **7**. 466-467.
to Montague on Cherokee boundary, **7**. 448; on extension of S. C. line, **7**. 876-877; on ranging of cattle in N. C., **7**. 267.
to regulators in answer to petition, **7**. 792-794; on bond for good behavior, **7**. 804-806; on Haw River, **7**. 801.
to Rutherford, Palmer and Frohock on Cherokee boundary, **7**. 460, 467, 468.
to St. James Parish on induction of Wills, **8**. 219-220.
to St. Luke's Parish on Drage, **8**. 150-151.
to Shelburne on assembly journals, **7**. 434-435; on Cherokee boundary, **7**. 500-501, 508, 509-510; on collectors, **7**. 535; on court appointments, &c., **7**. 697-698; on exchequer ct., **7**. 498-499; on frauds in trade, **7**. 497-8; on Indian affairs, **7**. 737-738; on laws passed in 1766, **7**. 430-434; on laws passed in 1768, **7**. 693-697; on methods of land grants, **7**. 511-512; on methods of land selling, **7**. 529-530; on necessity for issue of currency, **7**. 678-679; on need of solicitor gen., &c., **7**. 425-426; on palace, ct. of claims and co. clerks, **7**. 442-443; on panther, **7**. 445; on public affairs, **7**. 530-531; on public funds, **7**. 497, 512-513; on qualification of Howard, **7**. 434; on quit rents and purchase of Granville's district, **7**. 513-514; on resignation from assem. and Cherokee boundary, **7**. 692-693; on salary for council, **7**. 698-699; on sending correspondence on gov't to Eng., **7**. 267; on taxables, **7**. 499.
to Simpson on Pitt militia, **8**. 689; on regulators and answer, **22**. 408-9, 410.
to S. P. G. on church affairs, **7**. 158, 259-260; **8**. 50, 220-222; on state of Church of England, **7**. 457; on state of religion and schools, **7**. 102-104.
to Spencer on regulation, **7**. 727-728.
to Stevens on naval affairs, **7**. 165-166.
to Stirling on Stamp Act, **7**. 189-190.
to Stuart on Cherokee boundary, **7**. 196-197, 204, 460-461; on Cherokee survey, **7**. 253-254; on Indian affairs, **7**. 196-197, 220-221, 244-245; **8**. 22-23.
to Timothy on post, **7**. 439-440.
to Vail on raising troops in Chowan, **8**. 705, 708.
to various parties on movements against regulators, **8**. 697, 698, 700, 701-705, 708-711, 713-717; on defense of leg. against regulators, **8**. 681-682, 684, 686, 687, 688-690, 691, 694; on Hillsboro riots, **8**. 678-679; on preparation for trial of regulators, **8**. 690-691, 693, 694-696, 712, 713.
to Waddell on army, **8**. 714; on battle, **8**. 712-713; on requisitions, **8**. 715.
to Wyley on Catawba line, **7**. 196, 438.
transferred to N. Y., **7**. xxxiv.
travels through province, **7**. 2.
troubles under, **8**. 719.
vice admiral of admiralty ct., **7**. 459.
visits Moravians, **5**. 1151.
Wilmington people to on Stamp Act and answer, **7**. 242-243.
work of in N. C., **9**. 2.
zeal for church, **7**. 151.
Tryon (parole), **15**. 761; **22**. 410, 873.
Tryon Camp, **7**. 998, 999, 1007.
Tryon County, **4**. iv; **8**. xvi, 313, 517, 594; **9**. 91, 145, 298, 501, 502, 593, 649; **10**. 1, 120, 252, 284, 424, 525, 667, 676, 727, 797, 827, 830, 917, 949, 999; **11**. xvii, facing 80; **12**. 141, 146, 147, 171, 335, 336, 799, 800, 864; **13**. 603, 714, 734*g*; **14**. iii, 264, 687, 688, 691; **18**. 808; **19**. 898, 902, 975; **22**. 127, 128, 861; **23**. 825, 874, 904, 912, 946, 991; **24**. 28, 263, 424, 521.
act for court, **24**. 36-9, 50-64, 161; for public buildings for, **23**. 803, 964; **24**. 19-20, 137-9, 411; for tax for pub. building, **24**. 149; on boundary, **23**. 841-2, 964; on jurors, **24**. 82-4; on strays in, **23**. 856; to collect taxes in, **23**. 832; to destroy

vermin, **23**. 784-5, 971; to divide, **24**. 236-8, 411, 473, 645-6; to establish, **23**. 769-72.
amount thrown into S. C., **9**. 369.
Association of, **10**. 162-163.
bill for C. H. and prison in, **9**. 715, 719, 720, 723, 753, 760, 766, 770, 776, 839, 847, 851, 861, 886, 895, 905, 908, 910, 927, 1012; **12**. 37, 44, 47, 49, 112, 172, 178, 186, 197, 207, 256, 343, 345, 362, 369-370, 391, 404, 452; **13**. 357, 577, 595, 681, 700; for town in, **12**. 565, 579, 582, 590, 591, 667, 671, 674, 680, 693, 694, for prison in; **8**. 301, 344, 345, 348, 349, 350, 387, 391, 393, 401, 429; to add part of Burke to, **13**. 549, 556, 567, 656, 669, 679; to alter boundary, **9**. 729, 783, 839, 842, 847, 851, 861, 886, 890, 895, 896, 905, 907, 908, 910, 927, 1012; to ascertain boundaries, &c., **8**. 361, 364, 376, 384, 422-423, 425, 427, 431, 433, 458, 478; to collect taxes in, **8**. 293, 296, 298, 300, 324, 332, 336, 337, 341, 366, 367, 380, 435-436, 439, 477; to divide, **13**. 556, 577, 583, 665, 687, 709; **16**. 79, 81, 99, 152.
bill to divide, **19**. 48, 49, 64, 107; to amend act to divide, **19**. 613, 640, 651, 659, 695.
bond of clerk, **9**. 350-351.
clothing for troops due from, **12**. 639, 747.
commissary accounts to be examined, **13**. 542, 574, 597, 636-637, 638, 674, 678, 703-705, 706, 707.
complaints from on S. C. jurisdiction, **8**. 26.
court days, **23**. 874, 885, 932, 946, 990.
danger of falling in S. C., **8**. 555-556, 557, 562, 564, 567.
debts due to, **8**. 280-281.
disaffection in, **19**. 851.
divided and name changed, **8**. xxxv.
dues from sheriffs, **9**. 575.
erected, **8**. 5.
expedition against Indians of, **8**. 517-518.
Ferguson invades, **15**. 302.
formed, **7**. 876, 879.
forts in, **10**. 712; needed in, **11**. 350.
Germans in, **8**. 630.
Indian outbreak threatened, **11**. 313, 314.
insurrection in, **13**. 734*b*-734*e*.
J. P.'s in, **8**. 149, 161; **9**. 75; **23**. 994-5.
jurors from, **10**. 2; for, **22**. 502.
land grants in, **8**. 10.
landholders to vote, **23**. 987.
members of assembly, **8**. 107, 304; **9**. 491, 734, 1189; **12**. 2, 14, 597, 656, 666, 817; **13**. 707.
members in Prov. Cong., **9**. xxxi, 1043, 1179; **10**. 166, 501, 556, 915, 916, 924.
militia in regulator campaign, **8**. 593, 594, 601, 607, 649, 674, 697, 698, 700; **22**. 469; recruits from, **22**. 426; sent against Cherokees, **22**. 429.
officers, **9**. 298.
organization of troops, **10**. 206, 207, 532.
organized, **11**. 222.
parishes in, **7**. 541.
petitions for repeal of marriage and vestry acts, **10**. 1015-1016; of Presbyterians on marriage act, **8**. 80*b*; on taxes in, **15**. 219-220.
poll tax for, **23**. 866.
public revenue from, **9**. 647.
quit rents from, **9**. 608.
rangers in, **11**. 393; to be stationed in, **12**. 160, 334-335.
regulation in, **8**. 649.
report on proposed guard in, **12**. 417-419, 437-438; of Gilbert examined, **12**. 855-856, 864.
safety com. proceedings, **10**. 88-89, 120, 161-4, 247, 296-8, 423-424, 440, 609-610, 661.
salt to, **14**. 470.
sends troops against Cherokees, **10**. 895.
sheriffs of collect taxes in S. C., **23**. 908; not to collect taxes in, **9**. 386, 389, 390, 442, 464, 468, 475, 477, 478, 480, 583, 657.
taxables in, **7**. 541.
tories in, **14**. 261-262; disarmed, **13**. 644, 647; **14**. iii; numerous, **15**. 284; rise, **14**. xiii; **15**. 252, 265; to rise, **15**. 261.
troops in against Indians, **10**. 789; stationed on frontiers of, **10**. 827; to be raised in, **13**. 411; **24**. 154; against Cherokees, **12**. 103-104.
troubles in, **14**. vi; over S. C. line in, **9**. 56.
warehouse wanted for, **8**. 78.
Tryon Co., N. Y., named changed, **8**. xxxv.

Tryon District, recruiting officer for, **22**. 929.
Tryon Mountain, 5. xxxviii; **7**. 470, 502, 508, 509, 853, 854, 863; **11**. facing 80.
Tryon's palace, act for, **23**. 664-5.
effects on province, **6**. xxv.
See also Palace.
Tryonians, in battle of Alamance, **8**. 655.
Tryor, John, asks for new county, **9**. 89.
Tubber's Ferry, 22. 134.
Tubbs, Maj., field officer, **12**. 525, 546.
Tubril, Thos., juror, **25**. 189.
Tuchor, Thos., saddler, **15**. 620.
Tuck, James, executor, **1**. 523.
Tuck, John, executor, **1**. 523.
Tuckahoe, 24. 602.
Tuckasee, signs treaty, **17**. 586.
Tuckaseegee, 10. 713.
Tuckasege Ford, 14. 661.
Tuckasegee (Tuckyseige, Tuckasejah) River, 10. 883, 895; **17**. 579; **24**. 479.
Tuckasiege Baptist Asso'n, history, **5**. 1185, 1191-1192.
Tuckassie Keowee, signs Cherokee treaty, **7**. 855.
Tucker, ——, 8. 43.
Tucker, Capt., on defense of Charleston, **15**. 39-40.
Tucker, Capt., sloop of damaged, **13**. 364.
Tucker, Dr., 9. 611.
Tucker, Dr., 21. 522.
Tucker, Doctor, property confiscated, **19**. 672; **24**. 264, 424.
Tucker, Carrel, army rank, **16**. 1174.
Tucker, Curl, army rank, **16**. 1173.
Tucker, Gray, army rank, **16**. 1174.
Tucker, Jas., army rank, **16**. 1175.
Tucker, James, courtmartialed, **15**. 736.
Tucker, James, petition on C. H., **9**. 806-808.
Tucker, John, act for land to, **24**. 629-30.
land grant to, **19**. 572.
Tucker, John, army pay, **17**. 253.
army rank, **16**. 1174.
Tucker, Jno., army rank, **16**. 1175.
Tucker, Jno., army rank, **16**. 1175.
Tucker, John, in militia, **15**. 400.
Tucker, Lewis, allowance to, **13**. 911.
petition, **19**. 83, 98, 101; considered, **16**. 121, 126, 143, 144.
Tucker, Richard, army pay, **17**. 254.
army rank, **15**. 718; **16**. 1169.
Tucker, Robert, asks for lapse patent, **2**. 487.
indicted for murder, **2**. 433-434.
Tucker, Robert, courtmartialed, **15**. 736.
Tucker, Robt., juror, **25**. 187.
Tucker, Robt., pensioner, **22**. 87.
Tucker, Robin, guide, **1**. 743.
Tucker, St. George, coms'r on trade, &c., **18**. 542-543.
Tucker, Samuel, 9. 1233.
Tucker, Samuel, in N. J. assem., **16**. 843.
Tucker, Samuel, takes plunder, **4**. 891-892.
Tucker, Shadrack, pensioner, **22**. 88.
Tucker, Thos., army rank, **16**. 1172.
Tucker, Thos., invalid, **15**. 477.
Tucker, Wm., fined, **9**. 653.
Tucker, Woodard, wounded and prisoner, **15**. 169; **22**. 523.
Tucker's Mill, Va., 25. 91.
Tucksykany, signs Indian treaty, **11**. 203.
Tuder, Benj., in militia, **22**. 163.
Tuder, Jas., quit rents of, **22**. 243.
Tuder, John, in militia, **22**. 163.
Tuder, John, protests against regulators, **8**. 273-274.
Tuder, John, petition on who are tithables, **9**. 97-98.
Tuder, John, Sr., asks relief from church tax, **9**. 95-96.
Tudman, Wm., J. P., **6**. 549-550.
Tudo, Mary, imported, **2**. 3.
Tudor, Henry, takes oath, **22**. 169.
Tue, Alexr., army rank, **16**. 1174.
Tuesdell, Antapass, in militia, **22**. 323.
Tuffdick, Lewis, and Tuscarora affairs, **7**. 360-361.
deeds Indian lands, **25**. 507-9.
Tuffdick, Whitwell, and Tuscarora affairs, **7**. 360-361.
chief of Tuscaroras, **24**. 171.
petition in behalf of Tuscaroras, **12**. 378.
Tufftoe, makes agreement on Cherokee boundary, **7**. 469-471.
Tuftin, Benjamin, asks for new county, **9**. 89-90.
Tuftis, Jno., in militia, **22**. 281.
Tugaloo (Tugooloo, Tugoloe, Tugolo), 7. 209, 212, 815; **18**. 605; **21**. 546; **22**. 787.
burned, **10**. 882.

Tugelo River, **17**. 465, 583.
Tuke, Thos., buys land, **1**. 676.
Tuker (Tuck), John, gives power of att'y, **1**. 523.
Tukins, Timothy, regulator, **7**. 735.
Tulatisca, signs treaty, **17**. 586.
Tulco, signs treaty, **17**. 586.
Tule, Edward, petition on separation, **22**. 705-14.
Tule, Nathaniel, petition on separation, **22**. 705-14.
Tules, Jno., in militia, **22**. 309.
Tuley, John, land grant to, **4**. 765.
Tull (Tulle), Ben., carries ammunition, **1**. 878-879.
commends Adams, **1**. 728-729.
juror, **1**. 595.
law suit, **1**. 587, 591, 592.
to be tried for killing beef, **2**. 3.
vestryman, **2**. 209; **23**. 7.
Tull, Charles, pensioner, **22**. 88.
Tull, Thos., law suit, **1**. 421.
Tullert, Pendexter, and promissory note, **16**. 987.
Tulley. See Tully.
Tulley, John, petition on separation, **22**. 705-12.
Tulley, Thomas, land grant to, **4**. 602.
Tulley's Creek, **15**. 144.
Tulley's Creek Bridge, tobacco inspection at, **23**. 641, 792.
Tullico River, **22**. 998.
Tullington, Robert, juror, **2**. 699.
Tulloch, Mr., **16**. 538.
aids P. Mallett, **15**. 343.
and salt, **22**. 567.
and Eites, warrant to not paid, **14**. 753.
Tulloch, Mrs., **16**. 538.
Tullochs, Mr., **14**. 756.
Tullock, Capt., **15**. 462.
cannot attend assembly, **15**. 488.
ordered to join Linton, **15**. 487.
Tullock, Thos., estimate on transportation, **16**. 539.
execution against, **18**. 288.
in assembly, **13**. 913, 925, 955, 958, 966, 975, 980, 982, 984, 1000; **17**. 897, 916, 936, 948, 953, 963; **18**. 817; **19**. 382, 386, 392; on com. of assem., **13**. 831, 845, 867, 916, 935, 958, 965; **17**. 914.
supplies from, **16**. 486.
Tullon, Mr., **17**. 125.
Tull's Creek, bill for bridge over, **9**. 400, 402, 410, 411, 503, 507, 522, 524, 531.
inspection at, **24**. 581; **25**. 380(?).
Tull's Creek Bridge, inspection at, **24**. 581; **25**. 313.
quit rents paid at, **25**. 217.
Tullwood, ——, **4**. 502.
Tully. See Tulley.
Tully (Marcus Tullius Cicero), **19**. 924.
Tully, Anthony, deserter, **11**. 742.
Tully, Henry, deserter, **11**. 742.
Tulman, John, on S. C. of Pitt, **10**. 99.
Tulston, Wm., army rank, **16**. 1169.
Tuly, Major, helps arrest Brimage, **11**. 556.
Tuly, John, contest, **4**. 894.
land grant to, **4**. 642.
Tumbling Shoals, bill on fish, **20**. 181.
dam to be built at, **21**. 354.
Tumbull, Col., discharges tory militia, **22**. 777.
Tumcliff, Wm., witness, **4**. 502.
Tumults, Johnston act against, **25**. 519*a*-519*d*.
Tumveal, Jno., juror, **25**. 190.
Tunacliff (Turnaclif), Wm., to resurvey land, **4**. 331, 335.
Tunes, Capt., **11**. 727.
Tunes, James, recommended for council, **3**. 435.
Tuness, James, a J. P., **3**. 418.
Tunin, Archibald, army pay, **17**. 253.
Tunis, Capt., **4**. 793.
Tunis, James, a J. P., **3**. 256.
Tunk, Robt., army rank, **16**. 1173.
Tunkers, in Pa., **8**. 729.
Tunnage, Geo., quit rents of, **22**. 243.
Tunns, ——, **16**. 974.
Tupper, Col., position of regt. in army, **12**. 509.
Tuquabachies (Tuckabackers), The, **11**. 165, 167.
Turball, James, a J. P., **4**. 346.
Turberviller, Walter, quit rents of, **22**. 245.
Turbulence, summary of in N. C., **8**. vii.
Turbyfill, John, pensioner, **22**. 88.
Turenne, **5**. xiv.
Turhite, James, land grant to, **4**. 349.
Turkey, sends rice to Portugal, **2**. 424.
Turkey Branch Camp, **13**. 316.
Turkey Cove, **22**. 146.
fort at, **10**. 712.
Turkey Creek, **11**. facing 80; **23**. 658.
Turkey Creek, S. C., **17**. 981.
Turkey Creek Ford, **7**. 1005.
Turkey Hill, **22**. 134.

Turkey Oak, **24**. 660.
Turkey Quarter, **4**. 273.
Turkey Quarter Camp, **13**. 317.
Turkey Quarters, on Cape Fear River named, **1**. 69.
Turkey ship, taken by privateer, **10**. 892.
Turkey Swamp, **24**. 527.
Turkey's Town, **21**. 530, 534.
Turks, as slaves, **23**. 196.
at war, **21**. 464.
capture Sothell, **1**. 283, 288, 327.
Turk's Island, captured by French, **13**. 243.
salt from, **5**. 317, 322; **6**. 1030.
Turlington, Wm., in militia, **22**. 270.
Turlinton, Wm., drafted, **14**. 839.
Turnaclif, Wm., land to be resurveyed, **4**. 331, 335.
Turnage. See Turnedge.
Turnage, George, land grant asked, **4**. 709.
Turnage, Laz., land grant to, **4**. 336.
Turnage, Turner, army pay, **17**. 254.
Turnagin Bay, **24**. 825.
Turnball, Andrew, kind to American prisoners, **15**. 394.
Turnbull, Mr., supplies troops, **5**. 568-569.
Turnbull, Col. (Br.), and battle of Camden, **15**. 269.
commands Br., **14**. 680, 776; and tories, **19**. 987.
defeats Sumter, **15**. 259, 267.
disperses patriots and location, **15**. 251.
marches to Camden, **15**. 369.
leaves Rocky Mt., **15**. 267-268.
pursues Sumter, **15**. 272.
Turnbull, James, coms'r on navigation, **23**. 375.
Turnbull, John, recommended as Indian agent, **17**. 92.
Turnbull, John, Sevier to on settlements among Chickasaws, **22**. 704.
Turnbull, Thos., complaints against as a J. P., **5**. 33-34.
land grant to, **4**. 961.
petition on cattle and hides, **5**. 745-746.
Turnbull (Thos.) and Rutherford, bill for services, **22**. 454.
Turnedge. See Turnage.
Turnedge (Turnage), George, juror, **2**. 366, 408, 409, 443, 446, 667; **25**. 186.
Turner, ——, a J. P., **5**. 657.
Turner, ——, a prisoner, **10**. 486.
Turner, ——, "two rogues named T.," **22**. 851.
Turner, Mr., **8**. 257.
Turner, Mr., **10**. 269, 270, 332, 333.
Turner, Mr., **25**. 228.
Turner, Mr., refuses to furnish troops, **11**. 686.
Turner, Mr., sells hogs, **14**. 8.
Turner, Capt., **18**. 597.
killed at Germantown, **13**. 262.
roster of co., **16**. 1003, 1011, 1027, 1041, 1050, 1056, 1063, 1073, 1089, 1101, 1110, 1123, 1128, 1133, 1143, 1154, 1169, 1181, 1194.
Turner, Col., land grant to, **4**. 354.
Turner, Ensign, a prisoner, **14**. 818.
Turner, Absalom, army pay, **17**. 253.
Turner, Adam, army rank, **16**. 1175.
Turner, Amos, money from, **21**. 1065.
Turner, Amy, sells land, **1**. 577.
Turner, Ann, petition, **21**. 971.
Turner, Arthur, army rank, **16**. 1174.
Turner, Benajah, lieut., **10**. 517.
Turner, Benj., appoints Heron deputy naval officer, **6**. 703-705.
commissioned as naval officer, **6**. 51-52; **11**. 134-135; clerk of navy office, **6**. 522, 566-567.
continuance in office recommended, **6**. 624.
naval officer, **6**. 621; **11**. 257, 258.
nominated and appointed naval officer, **6**. 41-42, 72-73.
Turner, Benj., army rank, **16**. 1168.
Turner, Benj., in militia, **15**. 400.
Turner, Benj., land grant to, **4**. 1251, 1253.
Turner, Berryman, ensign, **10**. 187.
resigns as adjutant, **10**. 287.
Turner, Bridgett, imported, **1**. 654.
Turner, Bryan, army rank, **16**. 1169.
Turner, Charles, on Cary Rebellion, **1**. 805.
on division of C., **1**. 772-773.
on Va. boundary dispute, **1**. 703-704, 716-717.
Turner, Charles, takes oath, **22**. 171.
Turner, Danl., army rank, **16**. 1171.
Turner, David, act to vest land in, **25**. 100.
bill to cure title, **21**. 804, 831, 838, 971, 978, 1001, 1003, 1011.
building coms'r, **24**. 470.
in assembly, **16**. 1, 3, 48, 49, 127, 153, 156, 165; **17**. 877, 879, 936, 947, 948, 953, 963; **19**. 9, 70, 101, 208, 233,

235, 237, 262, 265, 282, 286, 295, 299, 319, 324, 334, 335, 354, 359, 392, 393, 394, 398; **21**. 874, 875, 927, 930, 931, 937, 941, 946, 965, 970, 980, 999, 1004, 1006, 1012, 1013, 1015, 1021, 1031, 1032, 1050, 1055.
in conv. 1788, **22**. 1, 10, 25, 32.
in conv. 1789, **22**. 36, 47, 48.
on com. of assembly, **16**. 27, 28, 101, 144.
Turner, David, army rank, **16**. 1174.
Turner, David, exempted, **5**. 531.
Turner, David, land grant to, **4**. 329.
Turner, Ed., quit rents of, **22**. 254.
Turner, Edward, bill for services, **22**. 461.
meadow eaten by Tryon's army, **22**. 441, 442.
Turner, Edward, horse thief, **4**. 760.
Turner, Edward, juror, **4**. 518.
Turner, Edward, land confiscated, **21**. 167.
Turner, Edward, petition in favor of rejected, **16**. 23.
Turner, Edwin, exempted, **6**. 1267.
Turner, Elias, juror, **10**. 2.
Turner, Elias, fined, **10**. 3.
Turner, Elizabeth, imported, **1**. 654.
Turner, Elizabeth, memorial, **21**. 971.
Turner, George, a J. P., **4**. 814.
juror, **4**. 520.
on com. of assembly, **4**. 85.
Turner, Gilbert, horse thief, **4**. 760.
Turner, Henry, land grant to, **19**. 572.
Turner, Henry, quit rents of, **22**. 245.
Turner, Jacob, allowance to, **19**. 370.
Turner, Jacob, army pay, **17**. 252.
army rank, **16**. 1169.
captain, **10**. 517, 520, 570.
dead, **11**. 788.
diary of in 1777 and 1778, **12**. 453-548.
killed at Brandywine, **13**. 968, 970.
orderly book printed, **12**. iii.
rank settled, **11**. 716.
recommended for promotion, **11**. 716.
recommends Wilson, **11**. 717.
Turner, Jacob, rank settled and selects Q. M., **15**. 700.
Turner, James, **2**. 809.
a J. P., **2**. 570.
land lapses, **2**. 354.
Turner, James, asks for new county, **9**. 89-90.
Turner, James, certificate lost, **19**. 297.
Turner, James, in conv. 1789, **22**. 38, 47, 48.
Turner, James, in Indian war, **10**. 759.
Turner, James, land grant to, **4**. 350, 619, 628; asked for, **4**. 454.
Turner, James, on regulation of Cross Creek, **15**. 209-211.
Turner, James, pensioner, **22**. 87.
Turner, James, shoe maker, **15**. 620.
Turner, James, vestryman, **23**. 499.
Turner, Joab, signs Tryon Asso., **10**. 162-163.
Turner, John, **11**. 833.
Turner, John, **25**. 100.
Turner, John, a J. P., **4**. 1039.
Turner, John, a J. P., **6**. 1070.
Turner, John, a J. P., **23**. 992.
Turner, John, army pay, **17**. 254.
army rank, **16**. 1168.
Turner, John, army rank, **16**. 1171.
Turner, John, case of, **1**. 905.
Turner, John, coms'r on boundary, **24**. 148.
Turner, John, coms'r on road, **23**. 448; **25**. 401.
Turner, John, contests election, **8**. 128.
Turner, John, dead, **15**. 759.
Turner, John, exempted, **5**. 1059.
Turner, John, imported, **1**. 654.
Turner, John, in assembly, **12**. 265, 328, 344, 349, 380, 382, 399, 404, 408, 414, 585; **19**. 372, 374.
Turner, John, in militia, **17**. 1061.
Turner, Jno., in militia, **22**. 353.
Turner, Jno., in militia, **22**. 422.
Turner, John, juror, **8**. 528.
Turner, John, land grant to, **4**. 1252.
Turner, John, petition, **21**. 971.
Turner, John, reprieved, **7**. 273.
Turner, Jno., tax collector, **19**. 707.
Turner, John, vestryman, **23**. 343.
Turner, Jonathan, act to vest land in, **25**. 100.
bill to cure title, **21**. 804, 831, 838, 971, 978, 1001, 1003, 1011.
Turner, Jonathan, regulator, **8**. 79.
Turner, Jos., in militia, **22**. 353.
Turner, Jos., juror, **4**. 522; **25**. 186.
Turner, Jos., to take possession of negroes, **10**. 699.
Turner, Jos., vestryman, **25**. 182.
Turner, Joshua, juror, **2**. 463, 474, 508, 553, 556, 585, 667, 668.
quit rents of, **22**. 246.
Turner, Lazarus, **4**. 1248.
land grant to, **4**. 219.
Turner, Maltiah, army pay, **17**. 252.
Turner, Maltiah, army pay, **17**. 253.

Turner, Mary, petitions for release of husband, **10**. 841.
Turner, Matias, army rank, **16**. 1171.
Turner, Miles, in militia, **15**. 400.
Turner, Nath., witness, **22**. 428.
Turner, Nathaniel, receipts for money, **22**. 473.
Turner, Nathaniel, witness, **8**. 532.
Turner, Polly, act to vest land in, **25**. 100.
bill to cure title, **21**. 838, 1011.
Turner, R., payment to, **13**. 350.
Turner, Richard, imported, **1**. 650.
Turner, Richard, imports persons, **1**. 654.
Turner, Robert, **25**. 206, 207.
Turner, Robert, a J. P., **2**. 638; **3**. 244, 251, 252, 537; **4**. 46, 224, 346.
claims, **4**. 149.
in assem., **3**. 562, 586, 612, 635; **4**. 92, 115, 116, 122, 200, 384, 652.
land grant to, **4**. 64, 68.
not duly elected to assembly, **4**. 384, 388, 389; on com. of assembly, **3**. 542, 567, 637; **4**. 91, 117, 121, 131, 132.
opposes land grant, **4**. 65.
pays balance due public, **4**. 527.
to examine public accounts, **4**. 395, 413, 414.
Turner, Robt., army rank, **16**. 1172.
Turner, Robert, buys at Martin sale, **22**. 881, 883, 884.
Turner, Robert, commissary, **10**. 457.
Turner, Robt., juror, **25**. 189.
Turner, Robert, lieut., **10**. 518.
recommended for lieutenantcy, **11**. 506.
Turner, Robert, loyalist, **10**. 599.
petition for release of, **10**. 841.
property confiscated, **19**. 672; **24**. 263, 424.
tory officer, **22**. 196.
Turner, Robert, to lay out road, **23**. 98.
Turner, Robert, wounded, **13**. 82.
Turner, Roger, proposed for vestry, **8**. 155.
Turner, Saml., pensioner, **22**. 88.
Turner, Samuel, witness, **20**. 160, 162.
Turner, Simon, a J. P., **23**. 992.
act on lands of, **25**. 100.
bill to cure title, **21**. 804, 831, 838, 971, 978. 1001, 1003, 1011.
in assembly, **19**. 372, 375, 376, 379.
major of militia, **12**. 600, 619, 714.
petition, **21**. 782, 785, 945; for Windsor as C. H., **9**. 804-806.
Tuscarora commissioner, **12**. 427, 431; **24**. 173.
Turner, Simon, act to vest land in, **25**. 100.
Turner, Simon, juror, **4**. 522.
Turner, Simon, militiaman, **9**. 344, 689.
Turner, Simon, in assembly, **12**. 271, 328, 344, 349, 368, 380, 382, 399, 404, 408, 424, 429, 585, 655, 656, 698, 736, 751, 816, 873, 879; **13**. 625, 697, 708, 709, 712, 717, 721; on com. of assembly, **12**. 823.
Turner, Stephen, in militia, **22**. 160.
Turner, Stephen, takes oath, **22**. 176.
Turner, Thos., a J. P., **23**. 993; resigns as J. P., **17**. 297; **20**. 23.
allowance to, **19**. 370.
claims, **20**. 6, 8.
petition, **21**. 778, 847, 858, 898, 933, 937, 998, 1003, 1038, 1056, 1058.
sheriff. **21**. 1078.
Turner, Thos., army pay, **17**. 252.
army rank, **16**. 1173.
Turner, Thos., dropped as J. P., **6**. 80.
Turner, Thos., holds negroes, **18**. 123.
Turner, Thos., in militia, **22**. 378.
Turner, Thomas, juror, **4**. 523.
land grant asked, **4**. 708.
Turner, Thos., petition allowed, **13**. 877, 935, 968, 970.
Turner, Thos., quit rents of, **22**. 245.
Turner, Thomas, receives pay for soldiers, **17**. 252.
Turner, Thomas Ward, juror, **4**. 516.
Turner, W., Baptist church, **5**. 1186.
Turner, Wm., act to vest land in, **25**. 100.
bill to cure title, **21**. 804, 831, 838, 971, 978, 1001, 1003, 1011.
Turner, Wm., army rank, **16**. 1168.
Turner, Wm., army rank, **16**. 1173.
Turner, Wm., army rank, **16**. 1173.
Turner, Wm., courtmartialed, **12**. 489.
Turner, Wm., exempted, **6**. 1267.
Turner, Wm., in militia, **15**. 400.
Turner, William, juror, **1**. 592; **2**. 830.
lapse patent to, **2**. 772.
sells land, **1**. 577.
signs Quaker petition, **1**. 252.
takes up land, **1**. 435.
Turner, Wm., juror, **4**. 519.
Turner, Wm., juror, **4**. 521.
Turner, Wm., juror, **25**. 187.
Turner, Wm., jailed for counterfeiting, **10**. 686.

Turner, Wm., quit rents of, **22**. 243.
Turner, Wm., quit rents of, **22**. 251.
Turner, Wm., pensioner, **22**. 88.
Turner, Wm., prisoner and property seized, **18**. 118, 122, 123, 354.
Turner, Wm., settles on Indian lands, **7**. 208.
Turner, Wm., to be tried, **4**. 760.
Turney (Turner), Henry, act for land to, **24**. 629-30.
Turney, Peter, sheriff, **20**. 322, 323.
Turnham Green, **5**. 621, 622, 772, 775, 779.
Turnhill, Thomas, land grant to, **4**. 894.
Turnour, **8**. 580.
Turpentine, act to inspect, **23**. 432, 485, 639-49, 790-801; **24**. 580-6, 658-61; **25**. 313-19, 378-87, 499-500; to put on rated list, **25**. 205-6.
bill for inspection, **5**. 266, 267, 269, 272, 274, 275, 287, 288, 289, 295, 296, 300, 505, 508, 510, 512, 513, 519, 535, 537, 541, 544, 546, 549, 550, 551, 558; to continue inspection act, **6**. 844, 847, 863, 866, 879-880, 883-884, 901-902, 905, 906, 911, 934, 936, 950-951, 954; to regulate inspection, **5**. 898, 1020, 1025, 1026, 1027, 1028, 1029, 1030, 1036, 1045, 1050, 1052, 1067, 1068, 1072, 1074, 1075, 1076, 1077, 1078, 1097; to regulate preparation of, **8**. 318-319.
illegal making of, **4**. 176.
made a rated commodity, **4**. 292-293.
not to be made on King's land, **4**. 41-42, 205, 207.
petition on, **8**. 164-165.
trees boxed for illegally, **4**. 285.
trouble over making of, **4**. 241-242.
Turpin, James, act for land to, **24**. 629-30.
land grant to, **19**. 572.
Turpin, Nathan, act for land to, **24**. 629-30.
land grant to, **19**. 572.
Turpin, Wm., army pay, **17**. 252.
army rank, **16**. 1174.
Turry, John, precinct judge, **3**. 255.
Turtle Creek, **5**. 766.
Turtola Island, **6**. 239.
Turvil, James, regulators' entry on causes of, **8**. 240.
Turvil, Solomon, regulators' entry on causes of, **8**. 240.
Tuscarora (Tuskaruroes) country, seized by strange Indians, **2**. 186.
Tuscarora Indians, **2**. 565, 570, 572; **22**. 735.
act for quieting in possession of land, **24**. 171-3, 335; on anniversary of massacre, **23**. 3-6; on lands of, **25**. 239; to confirm lease by, **23**. 687; **25**. 507-9; to fix bounds of, **23**. 299-301, 340; to satisfy S. C. debt caused by, **23**. 90; **25**. 161.
aid Va., **5**. 839, 858, 861, 864.
allowed to join Six Nations, **7**. 293-294, 298; to settle on Morratock River, **2**. 283.
ask for protection from whites, **5**. 785-786; to have boundaries defined, **2**. 456-457; permission to choose King, **4**. 345.
beaten, **2**. 458.
bill to confirm agreement of, **6**. 1232, 1234, 1284, 1287, 1294; **7**. 300, 304, 305, 306, 307, 339, 354, 358, 361, 368, 369, 371, 373, 420, 431; to quiet claims for lands held from, **12**. 589, 591, 601, 607, 631, 654, 696, 701, 710, 725; to quiet them in possession of lands, **12**. 591, 601, 607, 631, 654, 696, 701, 710, 725; to secure lands to, **12**. 47, 50, 61.
boundary of, **2**. 140.
bounds to be laid off, **2**. 456, 457; **4**. 592.
bounty paid to, **6**. 90, 101.
Bryan to inquire into case of, **6**. 1290.
Burrington on character of, **11**. 15-16.
capture DeGraffenried and Lawson, **1**. 923-38.
claims for allowed, **6**. 425, 435; for feeding allowed, **6**. 210, 215.
commanded to obey Blunt, **2**. 573.
complain of encroachments, **5**. 994-995; **6**. 100, 108.
complaints, **4**. 45; against, **3**. 282, 319; considered, **9**. 790.
condition, **3**. xviii; **5**. 1.
conferences with Burrington, **3**. 335-336.
debt due Gov. Everard from, **4**. 224.
DeGraffenried on manners and customs of, **1**. 978-984.
designs of, **2**. 304.
detain Indian slaves, **2**. 536; **3**. 218.
disbursements for, **22**. 843.
drive Sapponees westward, **3**. 89.
efforts to excite, **1**. 776, 782, 783, 796-797, 798, 802, 806, 811.
execute Lawson, **1**. 932-933.

extent of reservation, **5**. 742.
fed, **3**. 282, 319.
get arms from C., **1**. 813.
grant lands to Charlton, **5**. 1046, 1082.
hold land, **2**. 485; of Pollock, **3**. 404.
interview with on incursions into S. C., **11**. 10-16, 21, 22, 23-25.
join Five Nations, **2**. iv; **5**. 464; Sapponees and Chowan Indians, **3**. 537-538; Six Nations, **7**. 248, 291.
kill Sapponees, **2**. 674.
land reserved for hunting for, **2**. 140; not taxed, **25**. 164.
lease considered, **7**. 986, 990.
made prisoners, **2**. 2.
make treaty with DeGraffenried, **1**. 935-936.
no entries to be made of lands of and commissioners appointed for, **12**. 427, 431.
not governable, **5**. 765.
not to hunt on frontiers of Va., **2**. 23; numbers, **3**. xviii, 153; **5**. xli, 124, 161, 321; **7**. 219; and complaints, **5**. 155.
pardon DeGraffenried, **1**. 932.
payments to allowed, **6**. 1297.
petition, **12**. 378; considered, **4**. 891; **5**. 31, 35.
plat of bounds to be filed, **2**. 485.
promise to join English, **5**. 647.
provided for by assem., **5**. 1043.
provisions for, **5**. 1007, 1008; **6**. 127, 161, 163.
reduced in number, **6**. 989.
relative strength, **3**. 188.
report on, **6**. 616; **22**. 311, 389; on conference with, **2**. 382.
resolve to appoint commissioners to superintend, **12**. 246.
revolt from Blunt, **2**. 674.
settlement of at Uneroy, **2**. 428-429.
size of reservation, **2**. 485; **6**. 58, 787.
speech of on sale of lands in Bertie, **7**. 360-361, 362.
Spotswood treats with, **1**. 815-816.
summoned to meet whites, **1**. 808, 809, 811, 815.
threatened attack on from S. C., **3**. 202, 205, 345, 346.
to give aid in French war, **5**. 1012.
treatment of titles from, **12**. 409.
trade with not allowed, **1**. 863.
try DeGraffenried and Lawson, **1**. 927-933.
Tryon on lease of, **7**. 431; on their joining Six Nations, **7**. 218-220, 221.
visited, **4**. 1313-1314.
war against threatened, **11**. 21-22.
See also Tuscarora War.

Tuscarora (Tuscaruro) towns, 1. 810; **18**. 497.
to be attacked, **2**. 6.

Tuscarora War, 1. 973; **2**. 76, 78, 126, 141; **3**. 188; **4**. 94, 135, 159, 237, 576, 955; **8**. 329.
account of Barnwell's campaign, **1**. 954-957.
act made for conveyance of public letters, **3**. 188; of S. C. to aid N. C. in, **2**. 863.
address to Proprietors on cost, **1**. 823.
agent to be sent to S. C. on, **1**. 851.
aid asked from Proprietors, **1**. 875-876; from S. C. in, **9**. viii.
aid to from Five Nations, **1**. 828-829; **2**. 49; from Corees, **1**. 827.
alarms Indians, **1**. 959.
ammunition from S. C., **1**. 871, 899, 901; needed, **1**. 882; **2**. 28, 29, 30, 38, to be bought, **1**. 843-844.
appeal to Proprietors for arms, **1**. 877.
assembly raises £4,000 for, **1**. 838; to meet cost, **2**. 60, 62.
barbarities of, **1**. 826-827; **4**. 801.
Barnwell on his treatment, **1**. 903-905; conduct of explained, **1**. xxxi.
besieging apparatus provided, **1**. 893.
Blunt's villages deny their responsibility for war, **1**. 979.
booty taken, **1**. 939.
Boyd sent against, **1**. 860.
cannon used, **1**. 955.
Catechna besieged and taken, **1**. 956-957.
causes, **1**. xxiv, 921-922, 927, 928, 933, 948-949; **2**. 40.
causes issue of paper money, **3**. 145.
ceremonies of execution, **1**. 930-933.
children killed, **2**. 293.
Chowan Indians fight in, **2**. 141.
commissary, **1**. 879.
condition of Palatines, **1**. 923-925.
corn impressed, **1**. 879.
cost, **2**. iv-v.
cruelty of, **1**. xxx-xxxi.
cruiser sent to Pamlico and Core sounds, **1**. 852.
damages in, **2**. 171.

debt owed to Va. because of, **2.** 194-195.
DeGraffenried keeps treaty with Indians, **1.** 940-941, 944-945; on, **1.** 913; released, **1.** 940; remonstrance on safety of province, **1.** 953-954; slandered to Indians and whites, **1.** 941-943; defense, **1.** 949.
deserters to be taken up, **1.** 879.
design of revealed to DeGraffenried, **1.** 933.
discussed, **1.** xxx-xxxii; **2.** iv-v.
effects, **1.** 873-874, 875, 882; **2.** iv, 23, 54, 293, 625; **3.** 484; in Bath Co., **2.** 274; in connection with purchase of land, **2.** 173-174; of occupation by Indian allies, **1.** 896; on Palatines, **2.** 147; on religious life, **2.** 17.
efforts to release prisoners and recover booty, **1.** 945-946.
end, **2.** 123, 145, 152.
entrenchment at Contentney, **1.** 939.
expenses of Barnwell, **1.** 904.
Five Nations may interpose for peace, **2.** 23-24.
fort besieged, **1.** 875; captured, **2.** 145; garrisoned, **1.** 843-844.
fresh massacres, **1.** 861, 862.
Gale on, **1.** 868; accounts of, **1.** 825-827; memorial to S. C., **1.** 827-829.
Green on, **1.** 815.
help from Senecas expected, **1.** 874; from S. C., none from Va., **1.** xxx; of Palatines and Swiss, **1.** 948-948.
Hyde's instructions to Foster, agent to S. C., **1.** 898-901.
impressment resisted, **2.** 56.
influence of Cary Rebellion, **1.** 920-921.
information from Senecas desired, **1.** 866.
ingratitude of N. C. to Va., **2.** 382.
Indian allies of Tuscaroras, **1.** 933-934; of whites, **1.** 809-810, 811, 815, 816, 817, 821, 823, 828, 862, 874, 877, 879, 880, 883-884, 892-893, 898, 899, 900, 954; **2.** iv, 13, 15, 16, 19, 23, 28, 30, 36, 38, 45, 46, 47, 49-50, 52-53, 54, 60, 61, 62, 64, 141, 147; cooked and eaten, **1.** 954; king roasted, **1.** 946; massacres, **1.** 946; trade closed, **1.** 863; victory, **1.** 939.
Indians desert Barnwell, **1.** 895; destroyed, **2.** 123; eat out province, **2.** 4, 7, 16, 17; entrench in fort, **1.** 954; fortify and make further raids, **1.** 956; retire to forts, **1.** 893; tortured by whites, **2.** 48.
lack of ammunition, **2.** 20; of clothing, **1.** 884; of provision for army, **1.** 896; **2.** 4, 5, 6.
law for compulsory military service, **1.** 877.
leaders surrendered, **2.** iv.
man killed, **1.** 864.
massacres and spoils in, **1.** 934-935; renewed, **1.** 954.
Meherrins aid Indians, **2.** 644.
men arrested for not going to, **2.** 125.
methods of execution, **1.** 991-992.
Moore's report on capture of fort, **2.** 27.
mutineers arrested, **1.** 870, 872.
names of confederated Indians, **1.** 955.
necessity of peace, **2.** 49.
Nicholson commissioned to inquire into, **2.** 8-10.
no action on by assembly, **1.** 834.
no danger from Senecas, **2.** 21.
no formal declaration necessary, **1.** 895.
not caused by Palatines, **1.** 978.
not finished in 1716, **1.** 948.
Nottoway Indians killed, **1.** 863.
number killed, **1.** xxx, 810, 813, 826, 827, 875, 882, 895, 900, 949; **2.** 24, 49; in fort, **2.** 27, 29, 36, 37; and taken prisoners, **1.** 956-957; of Palatines slain, **1.** 924; of prisoners, **1.** 875.
numbers, **1.** 933-934.
parties refuse to pay fine, **2.** 59, 113.
peace made, **1.** 840, 842, 862, 957; to be made, **2.** 32, 36, 38, 40.
petition from people of Neuse River, **1.** 819-820.
policy of Indians to delay, **1.** 874.
Pollock asks aid of Spotswood, **2.** 29-31; on, **1.** 873-875, 876-879, 880-881, 881-882, 883-884; **2.** 23-25, 49-50, 61-62; on condition of colony, **1.** 869; to Craven on, **2.** 18-21, 52-53, 59-60; to Craven on Moore's victory, **2.** 44-47; to Moore on, **2.** 20-21, 27-29; to negotiate in matters of, **2.** 44; to Spotswood on, **1.** 892-897; **2.** 4, 5, 6-8, 37-39, 39-41.
powers given to Pollock, **2.** 72.
prisoners in hands of Indians, **1.**

945; rescued from Indians, **1**. 955-956; taken, **1**. 850.
Proprietors demand rents in silver, **2**. v; enquire about, **1**. 818.
protection promised Palatines, **1**. 933.
provisions for, **2**. 19, 21, 22, 28, 30, 38; scarce, **1**. 899; **2**. 45, 50, 52-3, 64-5.
Quakers refuse to fight, **1**. 814, 839, 877.
raids of Indians, **1**. 924.
Rainsford on, **1**. 860; **2**. 16-17.
resolution of assembly on impressment, **2**. xi.
retards growth of N. C., **2**. xiii-xiv; **4**. 299-300.
Sapponees to be induced to join whites, **1**. 866.
Senecas to aid Tuscaroras, **1**. 861, 863; **2**. 144; will not aid T., **1**. 882.
shallop seized for, **1**. 866.
sloop employed in, **1**. 867, 878.
South Carolina aids N. C., **1**. 820-825, 839, 877, 879-882, 883, 885, 892-893, 897-905; **2**. 13, 15, 16, 23, 24, 25, 26, 28, 29, 31, 36, 44, 48-50, 52-53, 60, 61-62, 64, 72, 144; asked for aid, **1**. 954, 956; assembly journal on, **1**. 897-905; Indians go home, **2**. 36; on Va.'s action in, **2**. 253.
Spotswood makes treaty with part of T., **2**. 26-27; on, **1**. 810-813, 834-835, 886; on Va. aid to, **2**. 12-16; to Board of Trade on, **2**. 48-49; to House of Burgesses on, **2**. 78-79; to Pollock on, **1**. 890-891, 892; **2**. 5, 6, 25-27, 31-32, 47-48; to Va. council on, **2**. 73; strictures by on N. C. assembly, **1**. 861-863.
state of country, **1**. 892.
still cont'd, **2**. 74.
subsistence of troops, **1**. 900.
sufferings of Palatines, **4**. 868, 873.
surgeon to S. C. expedition, **1**. 824.
tax to support Indian allies, **2**. 16.
terms of treaty, **2**. 38-45, 47-48.
towns surprised, **1**. 862.
traders charged with aiding Indians, **1**. 863.
treaty made with DeGraffenried, **1**. 935-936.
troops desert, **1**. 839.
try to seduce other Indians, **1**. 840.
Urmston on, **1**. 850; **2**. 143-144.
victory celebrated by Indians, **1**. 940.
Va. aids N. C., **1**. 840, 877, 900; **2**. 14, 17, 19, 22-23, 25, 28, 30, 31, 32, 36, 57, 73, 78-79, 195; discussed, **2**. 4-8; asked for aid, **1**. 837-838, 839, 861, 862, 883-884, 888-889, 893, 953; **2**. 14, 30; council on, **1**. 808-810; **2**. 36; demands mortgage for aid in, **1**. 953-954; **2**. 7, 15; does not aid, **1**. xxx, 886; gives free advice on conduct of, **1**. 836-837; ignored in treaty, **2**. 57; to be repaid her expenses, **1**. 840, 842; thanked, **1**. 895; votes money for, **1**. 890, 892, 893, 895.
warned by Senecas, **2**. 2.
whites besieged, **1**. 834.
See also Tuscarora Indians.
Tuscoonoohoopoie, signs Choctaw treaty, **18**. 802.
Tushkahoomock, signs Choctaw treaty, **18**. 802.
Tushkementahock, signs Choctaw treaty, **18**. 802.
Tushkokeegotha, signs Choctaw treaty, **18**. 802.
Tushtallay, signs Choctaw treaty, **18**. 802.
Tuskasee, signs treaty, **17**. 586.
Tuskega, 17. 11.
burned, **10**. 885.
Tuskegataher, signs treaty, **17**. 585.
Tuskeruda (Tuskeroode) Creek, 2. 786, 812.
Tut-sech, Indian, **1**. 894.
Tutell, John, land grant to, **4**. 961.
Tuton, Absalom, in militia, **22**. 319.
Tuton, Thos., in militia, **22**. 415.
Tutson, Chas., army pay, **17**. 253.
Tutson, Thos., army rank, **16**. 1173.
Tutterton, Benj., pensioner, **22**. 88.
Tuttle, Aaron, army pay, **17**. 253.
Tuttle, John, claim allowed, **18**. 329.
Tuttle, John, pensioner, **22**. 88.
Tuxoi, 11. 179.
Tweedside, 26. 458.
Tweedy. See Twiddy, Twitty.
Tweedy, Lt., dead, **15**. 757.
Tweedy, Thos., in militia, **22**. 351.
Twegar, John, imported, **1**. 394.
Twegger (Tweger, Tweegar), John, juror, **1**. 392, 399, 406, 407, 409, 411, 415, 433, 434.
law suit, **1**. 450, 479.
witness, **1**. 413, 415, 418, 431, 432.
Twelve Mile Creek, 6. 786, 787; **14**. 647, 776; **22**. 132.
Twelve Mile River, 5. lii.
Twenty-five Mile Creek, 17. 1031.

Twenty-third Regt. (Br.), **17**. 997, 998.
at Camden, **15**. 267, 270.
at Guilford C. H., **17**. 1003, 1004, 1024.
remains in Va., **15**. 538.
reports on, **17**. 1009, 1027.
to invade N. C., **15**. 261, 282.
Twickenham, **8**. xxxv.
Twickenham, Middlesex Co., **6**. 717.
Twiddy. See Tweedy, Twitty.
Twiddy (Tweddy, Tweedy, Twiddie), Thos., administrator, **1**. 449.
attorney, **1**. 451.
juror, **1**. 388, 592, 594.
law suit, **1**. 434, 448.
witness, **1**. 402.
Twiddy, Thomas, juror, **4**. 519.
Twidey, Thos., juror, **2**. 830.
Twiford, Geo., pensioner, **22**. 87.
Twigg, Danl., army rank, **16**. 1174.
Twigg, Danl., army rank, **16**. 1175.
Twiggs, Col., defeats Brown, **19**. 885; in Ga., **15**. 665.
prisoner, **15**. 393.
sent south, **14**. 763.
Twightwees, favor English, **5**. 434-435.
fort needed among, **5**. 476.
hold lands by leave of Six Nations, **5**. 464.
message sent to, **5**. 370.
protection by fort needed, **5**. 465, 468.
Twin Sister Ferry, **22**. 130.
Twiner, J., in assembly, **12**. 344, 368.
Twitty. See Tweedy, Twiddy.
Twitty, John, lieut., **10**. 941.
Twitty, Wm., repels tories, **22**. 127.
Two Sisters, The, **14**. 42, 43, 52, 54, 270.
Two Sisters, S. C., **22**. 113.
Two Sisters, Ga., **22**. 133.
Two Sisters Ferry, **14**. 279; **22**. 134.
Ty. See Ti.
Tyack. See Tiack.
Tyack, D. Thos., army rank, **16**. 1170.
Tyaguin estates, settled, **9**. 828.
Tyancoco, **6**. 815.
Tyaquin (Tyaguin), **11**. 668; **13**. 460; **14**. 618; **15**. 86, 712, 769, 773, 775, 776, 779; **16**. 616, 657; **22**. 973.
Tyar, Simeon, army pay, **17**. 253.
Tybee, Ga., **13**. 332, 333, 338; **15**. 330.
Tyburn, **3**. 19.
Tyce. See Tice.
Tyce, Aaron, a J. P., **4**. 712.
Tyce, Thos., juror, **25**. 189.
Tyfles, Henry, **2**. 387.
Tyford, Bartholomew, in militia, **22**. 391.
Tygart, John, claims, **9**. 590.
debts due by, **8**. 280-281; as sheriff, **9**. 575.
Tyger River, **5**. 1207; **7**. 504, 1003, 1005, 1006, 1007; **11**. facing 80; **14**. 763; **15**. 305; **21**. 105; **22**. 185.
patriots active on, **15**. 304.
skirmish on, **15**. 171.
tories on, **15**. 258.
Tryon talks with Cherokees at, **7**. 462-466.
Tyger River Camp, **7**. 466, 996, 997, 1001, 1005, 1006, 1007.
Tyler. See Tiler, Tiller.
Tyler, Absolom, land grant to, **4**. 764.
Tyler, Catharine, put in care of grandmother, **2**. 44; under guardian, **2**. 65-66.
Tyler, John, payments to, **1**. 559.
Tyler, Kellam, child of put under guardian and estate settled, **2**. 65-66.
Tyler, Moses, army pay, **17**. 254.
army rank, **16**. 1175.
Tyler, Moses, army rank, **16**. 1175.
pensioner, **22**. 87.
Tyler, Moses, land grant to, **4**. 963, 1248.
Tyler, Owen, army rank, **16**. 1175.
Tyler, Peter, bad man, **21**. 752.
Tyler, Thos., bad man, **21**. 752.
Tyler, Wm., army rank, **16**. 1172.
Tyler, Wm., bad man, **21**. 752.
Tyler, Wm., in army, **15**. 722.
Tyler's, **14**. 704.
Tylor, Bartlet, in militia, **22**. 162.
Tylor, Hanson, in militia, **22**. 309.
Tylor, Helen, petition, **21**. 743, 745, 807, 891, 892, 974, 978.
Tyndal. See Tindal, etc.
Tyndal, Sam., land grant to, **4**. 353.
Tyne, Col., defeated by Marion, **14**. 726.
Tyner. See Tiner.
Tyner, Arthur, army pay, **17**. 253.
army rank, **16**. 1175.
Tyner, Benjn., pensioner, **22**. 89.
Tyner, Hardy, army pay, **17**. 254.
Tyner, Harris, quit rents of, **22**. 257.
Tyner, James, land grant to, **4**. 703.
Tyner, Nichs., army rank, **16**. 1175.
pensioner, **22**. 87.
Tyner, Nichs., land grant to, **4**. 628, 764.

Tyner, Thomas, payment to for cart-wheels, **16**. 82, 83, 86.
Tyner, Wm., army rank, **16**. 1175.
Tyner, Wm., in militia, **22**. 273.
Tyner, Wm., in militia, **22**. 309.
Tynes, Col., captured, **15**. 303.
letter to ment'd, **14**. 457.
Tynes, Thos., allowance to, **19**. 52.
Tynne, Capt., wounded, **15**. 638.
Tynte (Trent), Edward, death, **1**. xxviii, 768, 776, 912, 914.
governor of C., **1**. 694-696; and dies, **1**. 779-780, 785.
instructions to, **1**. 704-707.
Tyoncoca, 5. 1046, 1054; **23**. 496; **25**. 483, 484.
bill to change Edgecombe Co. from, **6**. 152.
Tyrannies of Everard, 3. 2-4.
Tyranny, Party, or an Occasional Bill in Miniature, 2. 890-923.
Tyre, Thomas, captain, **10**. 625, facing 680.
Tyre, Thomas, land grant to, **4**. 595.
Tyre, Thos., patent to recorded, **21**. 831, 1038.
Tyre, Thos., Jr., in militia, **22**. 323.
Tyre, Thos., Sr., in militia, **22**. 323.
Tyre, Wm., buys at Martin sale, **22**. 884.
Tyron River, 11. facing 80.
Tyrrel, ——, 9. 71.
Tyrrel, Simon, engages in riots, **10**. 933-935.
Tyrrell, Sir John, sells barony, **3**. 39.
Tyrrell County, 4. 441, 442, 443, 489, 497, 529, 539, 557, 559, 565, 567, 569, 572, 721, 771, 825, 827, 881, 1170, 1193, 1233; **5**. 82, 823, 1069; **6**. 735, 913, 1127; **7**. 363, 476; **8**. 149; **9**. xxix, 174, 298, 525, 558, 592, 611; **10**. 990; **11**. 532; **13**. 145, 614, 728, 729; **15**. 318, 468; **18**. 29, 185, 258, 261, 497; **19**. 62, 428, 441, 444, 472, 482, 672, 761, 763, 778, 810, 825; **20**. 147, 166, 295, 345, 376, 466, 497, 509, 521, 536; **21**. 81, 212, 218, 221, 582, 750, 782, 840, 865, 898, 936, 941; **22**. 287, 401, 625, 627, 848; **23**. 150, 155, 187, 222, 255, 273, 373, 481, 531, 553, 564, 575, 618, 683, 692, 705, 723, 830, 855, 874, 904, 912, 929, 947, 957, 991; **24**. 252, 581, 640, 706; **25**. 13, 64, 217.
act for court, **24**. 37-9, 50, 64, 161; **25**. 274-87, 436; for free ferries, **24**. 769; for parish, **25**. 298-304; for tax for public buildings, **24**. 145, 239, 252, 456, 594, 873-4; **25**. 341; for to be confirmed, **3**. 641; for town in, **25**. 34-5; for transcription of records, **24**. 967-8; for two election places in, **25**. 11-12; for warehouse in, **23**. 150-151, 336; on boundaries, **23**. 168, 287, 336, 339; **25**. 238; on bridges and ferries, **23**. 785-6; on jurors, **24**. 82-4, 273-5; **25**. 422; on roads, **23**. 449-51; on strays, **23**. 777-9, 972; to alter time of county cts., **24**. 222-3, 717; **25**. 70, 288, 406; to collect arrears, **23**. 922-3; **24**. 824; sinking fund arrears, **24**. 990; to destroy vermin, **23**. 914; wild animals, **24**. 749-50, 826; **25**. 476; to divide, **23**. 976; to drain Lake Scuppernong, **24**. 639-40; to establish to be repealed, **5**. 92, 115; repealed and to be reënacted, **5**. 405-407; to extend boundary, **24**. 705.
Baptists in, **5**. 1177.
bill for boundary line, commissioners, **4**. 903, 904, 906, 915; for ferries, **20**. 41, 64; for free ferries in, **17**. 339, 342; for public buildings in, **13**. 568, 571, 580, 671, 683, 700; for quit rent warehouse in, **4**. 539, 540, 542, 546, 549, 565, 566, 567, 568, 572; for town in, **21**. 22-23, 44, 50, 219, 223, 255, 308, 589, 621, 698; for transcript of records, **21**. 140; for warehouse, **4**. 559; on boundary, **19**. 435, 461, 473, 765, 772, 774, 806, 817; on election of members of assem., **21**. 265, 281, 293, 317, 347, 621, 645, 675; on land entries, **19**. 419, 751; on strays, **8**. 100, 325; **9**. 842, 848, 852, 861, 894, 895, 907, 910, 913, 914, 928, 1014; to appoint treasurer, **4**. 1322, 1323, 1324, 1328, 1338, 1339, 1340, 1342, 1343, 1348; to ascertain boundaries, **4**. 484, 485, 509, 512; to collect taxes in, **9**. 399, 402, 406, 409, 444, 503, 507, 513, 517, 522, 523, 584, 660; to copy records, **20**. 571; to divide, **8**. 93, 98, 100, 103, 116, 125, 130, 133, 137, 293, 296, 317, 332, 348, 352, 354, 389, 403, 407; **9**. 107, 110, 112, 114, 147, 151, 152, 160, 163, 167, 222, 258, 383, 388, 393, 401, 406, 443, 446, 459, 460, 473, 482, 506,

514, 584, 586, 637, 663, 683, 717, 719, 723, 758, 760, 762, 770, 776, 839, 846, 861, 889, 895, 904, 908, 909, 910, 927, 1011; **13**. 836, 926-927, 954; to dock entails in, **13**. 865, 943, 957, 973, 975, 983; to drain lands in, **20**. 156, 164, 178, 180, 187, 340, 356, 377, 521, 555; **21**. 66, 80, 114; to sell church lands in, **12**. 42, 162, 165, 178, 322-323, 331, 344, 349, 382.
cases from tried in Edenton, **23**. 253.
census of 1790, **26**. 1146-1160.
charges on not granting writ of election to and answer, **6**. 301-302.
claims of representation recognized, **6**. 262.
clothing for troops due from, **12**. 639, 749.
contested election in, **9**. 745, 746; **12**. 557, 665, 724.
court days, **23**. 703, 704, 874, 885, 932, 946, 990.
debts due to, **8**. 280-281.
does not take out new charter, **6**. 226, 227.
drafting troubles in, **13**. 145-146.
dues from sheriffs, **9**. 573.
erected, **3**. 176, 454, 575.
Hoskins asks commission as clerk, **11**. 532.
illegality in election claims, **4**. 856, 857-858, 860.
in Edenton Dist., **15**. 377.
indicts Philips, **16**. 97-98, 101.
inspection in, **25**. 313, 379.
J. P.'s in, **4**. 47-48, 346, 713; **5**. 32; **6**. 1068; **9**. 293; **23**. 994.
jurors in, **4**. 525.
justices refuse to do their duty in, **9**. 60-61.
land grants in, **4**. 331, 344, 348, 349, 352, 353, 440, 441, 443, 447, 453, 588, 589, 593, 598, 603, 615, 617, 618, 619, 625, 627, 628, 629, 630, 631, 634, 636, 638, 641, 651, 684, 703, 704, 706, 707, 708, 710, 759, 761, 764, 765, 766, 768.
members of assembly, **4**. 115, 493, 527, 533-534, 721, 723, 733, 737, 815, 856, 857, 1170, 1173, 1174, 1193; **5**. 232, 283, 521, 691, 890, 893, 1110; **6**. 6, 77, 390, 474, 662, 801, 893, 1152, 1259; **7**. 284, 342, 346, 473; **8**. 304, 314, 344, 386; **9**. 156, 448, 475, 734, 741, 747, 894, 1189; **12**. 2, 3, 314, 377, 549, 656, 725, 766, 818, 822; **13**. 656, 736, 785, 825; **15**. 221; **16**. 2; **17**. 265, 384, 795, 878; **18**. 2, 227; **19**. 2, 67, 103, 130, 234, 400, 489, 718; **20**. 2, 120, 302, 476, 510; **21**. 2, 194, 730, 872, 874.
members in conv. 1788 and 89, **22**. 3, 10, 25, 27, 28, 30, 39, 43.
members in Prov. Cong., **9**. 1042, 1179; **10**. 166, 501, 915, 920, 951.
militia in, **5**. 575, 603; in regulator campaign, **8**. 697, 702; **22**. 469, 478; officers, **20**. 273, 461; organization of, **10**. 625, facing 680; returns, **22**. 308, 313, 390-3.
no members in assembly, **4**. 1191, 1197, 1198.
no writ of election to, **6**. 412, 414, 415.
number of members in assembly, **4**. 1174, 1175, 1180, 1231; **5**. 86, 87, 88, 90, 91; **9**. 1053.
officers, **9**. 298.
organization of troops, **10**. 205, 207, 532, 625, facing 680.
owes State, **21**. 1069, 1078.
parishes in, **7**. 541.
petition, **16**. 104, 105; **21**. 253, 359, 610, 616, 645, 694; on quit rent act, **4**. 497; on Fed. Conv., **21**. 31; on representation act, **4**. 1158-1160; on representation, action on, **5**. 82-84.
place for payment of quit rents, **4**. 186.
population, **18**. 433.
report on militia, **5**. 163.
sheriffs, **4**. 347, 1182, 1194; **5**. 978; **6**. 211; **8**. 460.
Stewart to visit, **6**. 563.
supreme ct. of held in Edenton, **5**. 260.
tax in, **19**. 707.
taxables in, **5**. 575, 603; **7**. 146, 284, 289, 539, 541; in 1754; **5**. 320.
time of inferior ct., **7**. 606, 643.
tobacco inspection in, **23**. 641, 792.
tories active, **11**. 551.
treasurer for, **23**. 378-380, 400.
troops of turn out, **14**. 95; to be raised in, **13**. 412; **24**. 154.
writ for choice of assemblymen, **4**. 1181, 1182, 1194, 1202.
Tyrrell Court House, 9. 61.
Tyrrell District, recruiting officer for, **22**. 929.
Tyrrell Precinct, 23. 335.
act to create, **23**. 112, 335, 445-7; **25**. 212-213.

report on quit rents, **22**. 245-246, 259.
Tysinger, Ad., army rank, **16**. 1173.
Tyson. See Tison.
Tyson, ——, tried, **6**. 740.
Tyson, Aaron, a J. P., **4**. 813.
land grant to, **4**. 70.
sheriff, **4**. 949.
Tyson, Aaron, army rank, **16**. 1175.
Tyson, Abraham, army pay, **17**. 252.
army rank, **16**. 1171.
claims allowed, **9**. 225.
complaints against, **6**. 1068.
debts due by, **8**. 280-281.
Tyson, Cornelius, a J. P., **4**. 713.
dropped as J. P., **5**. 655.
land grants to, **4**. 335, 348, 354.
Tyson, Daniel, caveat against, **6**. 770.
Tyson, Edward, land grant to, **4**. 447, 642.
Tyson, Ellis, army rank, **16**. 1175.
Tyson, Henry, army rank, **16**. 1170.
Tyson, Jas., army rank, **16**. 1170.
Tyson, Job, petition for pardon of, **16**. 580-581.
Tyson, John, **13**. 166.
Tyson, John, a J. P., **6**. 343.
complaints against, **6**. 1068.
land grant to, **4**. 854.
on difficulty of collecting taxes in Pitt Co., **7**. 943.
Tyson, Joshua, exempted, **7**. 624.
Tyson, Lewis, pensioner, **22**. 88.
Tyson, Mathias, land grant to, **4**. 799.
Tyson, Moses, land grant to, **4**. 766.
Tyson, Thos., a J. P., **4**. 47, 346.
land grant to, **4**. 335, 354, 447, 764.
road coms'r, **23**. 222.
Tyson (Tison), Thomas, in assembly, **18**. 123, 135, 136, 144, 156, 161, 171; **20**. 120, 121, 168, 180, 230, 246, 276, 285, 287, 288, 295, 399; **21**. 194, 196, 234, 332, 345, 346, 367, 372, 379, 383, 403, 411, 430, 432, 730, 769, 781, 802, 806, 815, 819, 839, 845, 846, 852, 860, 862, 868.
in conv. 1788, **22**. 2, 6, 26, 27, 30, 32, 35.
in conv. 1789, **22**. 37.
Tyson's Landing, tobacco inspection at, **23**. 792.
Tyson's plantation, petition for town on, **7**. 592.
Tysor, Mary F., witness, **1**. 857.
Tythables. See Tithables.
Tyvingham (parole), **12**. 457.

U

Uahara River (Anson Co.), act on hedges and fish in, **23**. 909-10.
Udny, George, petition on exchange rate of bills, **6**. 16-17.
Uell, Wm., army rank, **16**. 1176.
Ugin, Mr., **11**. 295.
Uhwarrie (Uwarry, Huary, Uwharrie, Huwaree, Uahra, Uharee, Wharrie) River, **5**. 355, 1209; **8**. 535, 590; **19**. 848; **21**. 242; **22**. 149; **24**. 542.
act on stoppage of fish in, **23**. 909-10; **24**. 312, 460, 849-50.
bill to keep open, **18**. 191, 204, 418, 430; to prevent hedges across, **9**. 402, 443, 506, 508, 584, 657; to prevent stopping of fish in, **13**. 846, 875, 884, 936, 937, 955.
land grants to McCulloh on, **5**. xxxii, 622, 779, 780; **6**. 570.
Ulster, **12**. 458.
Ulster, Ireland, active against U. S., **14**. 749.
Presbyterians from, **5**. 1193, 1195, 1199.
Umatooctha, signs treaty, **17**. 586.
Umphlit, Wm., in militia, **22**. 359.
Umphlit, Wm., Jr., in militia, **22**. 360.
Umphrey. See Humphrey.
Umphrey, Joseph, army pay, **17**. 255.
Umphris, Jno., in militia, **22**. 348.
Umstead, John, petition, **21**. 795, 956, 957, 990.
Unacoy (Unicoy) Mountains, **11**. 566; **24**. 141; **25**. 4.
Unaka Mountain, **25**. 4.
Underden, Dempsey, in army, **15**. 722.
Underdew, Dempsey, reënlists, **15**. 749.
Underdoo, Dempsey, army pay, **18**. 733.
Underdue, Dempy., army rank, **16**. 1176.
Underhill, Mr., **10**. 85.
Underhill, J., payments to, **13**. 347.
Underhill, James, army pay, **17**. 255.
army rank, **13**. 516; **16**. 1176.
Underhill, John, arrested as loyalist, **10**. 706; and sent on to council of safety, **10**. 762.
petition of referred to com. and discharged, **10**. 919, 920.
Underhill, Joseph, a J. P., **23**. 993.
Underwood, Arthur, in militia, **22**. 165.
Underwood, Benj., tory officer, **22**. 197.
Underwood, Daniel, a J. P., **5**. 592.
Underwood, Geo., in militia, **22**. 378.

Underwood, Henry, petition on catching fish, **9.** 87-88.
Underwood, James, act to release from recognizance, **24.** 705-6.
bill to release from forfeit, **19.** 419, 454, 473, 730, 749, 751, 796, 819.
Underwood, James, army pay, **17.** 255.
pensioner, **22.** 89.
Underwood, Richd., in militia, **22.** 165.
Underwood, Sampson, land grant to, **4.** 704.
Underwood, Shadrach, army pay, **17.** 255.
army rank, **16.** 1176.
Underwood, Thomas, land grants to, **4.** 1241.
Underwood, Wm., in militia, **22.** 377.
Underwood, Wm., pensioner, **22.** 90.
Undey, Thomas, suspected, **2.** 346, 348.
Uneray, Indian town, **2.** 295.
Uneroy, 2. 428, 429.
Unger, Lawrance, army rank, **16.** 1176.
pensioner, **22.** 89.
Uniform, of N. C. troops, **10.** 198.
provided, **10.** 360.
Union, Albany, discussed, **5.** xx-xxi.
Union, The, 17. 98. 444, 446, 460, 461, 464. 474, 484, 506, 508, 512, 513, 514. 520, 539, 549, 550, 551, 554, 558, 587, 592, 603; **18.** 501, 512, 530, 532, 533, 542, 543, 544, 545, 550, 551, 558, 559, 572, 577, 578, 580, 584, 587, 606, 634, 635, 654, 655, 659, 660, 661, 683, 706, 710, 717, 724, 737, 739, 743, 768, 769, 779, 781, 782, 788, 789; **19.** 350, 496, 497, 515, 562, 568, 576, 645, 696, 712, 714, 715, 725, 727, 831, 895; **20.** iv, v, 294, 600, 615, 633, 635, 644, 657, 695, 705, 706, 724, 733, 734, 735 752, 763, 776, 777, 778, 784, 785; **21.** iii, 173, 427, 428, 466, 492, 509, 517, 534, 537, 542, 544, 553, 556, 559, 569, 640, 865, 878, 1053; **22.** 19, 23, 619, 643, 644, 646, 699, 715, 723, 724, 727, 790, 791, 793, 799, 800, 807, 811, 981, 993, 1020; **24.** iv, 130, 547, 549, 561, 661, 679, 791; **25.** 4.
relations of N. C. to in 1788, **21.** iii.
report on state of, **20.** 228, 230, 240-243, 421.
Washington on necessity of, **16.** 816-817.
with America proposed, **9.** 1094.
Union Brigade, 7. 833, 837; **22.** 875.
Union Camp, 7. 827, 829; **8.** 666; **19.** 838.
Union County, 5. xxxviii.
Union Lutheran Church, 8. 773, 776, 781.
Rothrock pastor, **8.** 792.
Union Point Front, Newbern, 24. 246-7.
Unitas Fratrum, 23. 438, 439, 906.
act on, **24.** 594; on affirmation of allegiance, **24.** 219; to vest lands of in F. W. Marshall, **24.** 466.
ask to be put into Surry Co., **9.** 47-48.
bill to vest lands of in Marshall, **16.** 26, 27, 37, 47, 52, 57; **19.** 7, 19, 32-33.
history of, **5.** 1144-1163.
papers relating to, **4.** 1227.
See also Moravians, United Brethren.
United America, 16. 773; **20.** 753.
United American States, 14. 694; **24.** 563.
United Brethren, 23. 438, 439, 906.
act to vest lands of in F. W. Marshall, **24.** 466.
bill to vest lands of in Marshall, **16.** 26, 27, 37, 47, 52, 57; **19.** 7, 19, 32-33.
com. report and bill on petition on oath, **13.** 541, 550-551, 572, 579, 601, 639, 648-649, 652-653, 685, 711, 728, 830, 831, 920, 921.
history of, **5.** 1144-1163.
petition of on oath referred to com. and rejected, **12.** 788-789, 798, 806, 846-847, 850, 857-858.
See also Moravians, Unitas Fratrum.
United Colonies, 6. xxi; **10.** 529, 694, 708, 870*a*, 898; **11.** 272, 291; **12.** 804; **15.** 387; **23.** 980, 998.
committee to state accounts of N. C. with, **10.** 577.
resolution of C. C. on exportation of from one to another, **11.** 272-273.
United Empire, 17. 34; **19.** 494.
United Government, 20. 753.
United Netherlands, 16. 362; **17.** 5, 275; **18.** 610; **19.** 262, 268; **20.** 645, 766.
consuls of in U. S., **17.** 481-482, 503, 504.
treaty with, **16.** 737, 757, 773, 783; **19.** 240, 276.
See also Holland, Netherlands, States General.
United Provinces of Holland, trade of, **6.** 1032.

treaty signed with, **16**. 467, 869.
United Republic, 17. 36, 552; **19**. 496.
United States of America, 5. 1156, 1157, 1158, 1215; **8**. 654, 730, 734; **10**. 651, 684, 693, 696, 701, 720, 730, 743, 752, 808, 814, 830, 875, 877, 880, 890, 905, 920, 928, 961, 977, 982, 996, 997; **11**. 292, 365, 366, 392, 401, 407, 425, 428, 441, 443, 444, 452, 468, 471, 483, 485, 494, 509, 580, 609, 614, 636, 637, 662, 665, 667, 670, 685, 686, 696, 699, 705, 717, 719, 735, 747, 752, 769, 770, 771. 773, 774, 793, 828, 830; **12**. 66, 70, 74, 86, 87, 92, 93, 107, 154, 208, 222, 228, 233, 242, 244, 249, 278, 321, 341, 393, 397, 401, 402, 411, 412, 424, 426, 433, 513, 538, 556, 576, 590, 599, 608, 613, 614, 615, 624, 634, 664, 668, 679, 695, 708, 709, 710, 717, 728, 733, 767, 770, 778, 779, 798, 804, 828, 844, 857; **13**. 19, 30, 39, 60, 65, 95, 102, 112, 113, 114, 123, 125, 136, 158, 181, 182, 209, 210, 212, 214, 220, 221, 222, 231, 239, 253, 256, 264, 286, 300, 308, 340, 351, 356, 362, 363, 370, 379, 389, 395, 399, 400, 404, 409, 417, 418, 419, 441, 445, 451, 461, 465, 466, 467, 471, 482, 484, 486, 497, 545, 551, 553, 558, 580, 584, 585, 595, 612, 648, 650, 652, 672, 673, 689, 696, 701, 721, 763, 863, 870, 872, 878, 882, 888, 897, 945, 963, 964, 977, 987, 989; **14**. 18, 37, 58, 71, 72, 95, 100, 178, 189, 206, 212, 213, 217, 256, 260, 290, 295, 341, 342, 345, 349, 366, 367, 369, 372, 406, 411, 417, 490, 546, 548, 551, 565, 592, 620, 628, 694, 706, 718, 722, 744, 747, 769, 785, 793, 794, 795, 796, 797; **15**. 2, 5, 32, 33, 35, 66, 71, 80, 88, 95, 105, 115, 124, 125, 150, 158, 166, 187, 194, 197, 201, 203, 214, 319, 334, 347, 394, 404, 462, 533, 578, 592, 598, 604, 608, 618, 622, 646, 669, 693, 708, 711, 734, 735, 768, 770, 771, 773, 774, 778; **16**. 10, 66, 81, 83, 145, 158, 160, 162, 196, 201, 216, 223, 227, 251, 277, 296, 299, 302, 303, 305, 306, 307, 309, 315, 319, 322, 327, 328, 329, 335, 339, 343, 344, 356, 357, 362, 363, 366, 367, 371, 372, 380, 381, 384, 390, 391, 396, 397, 398, 404, 407, 408, 412, 413, 414, 420, 423, 424, 425, 426, 428, 429, 430, 436, 438, 439, 440, 443, 446, 452, 454, 479, 509, 524, 529, 533, 546, 568, 589, 600, 635, 649, 683, 698, 705, 706, 710, 724, 725, 737, 738, 739, 741, 743, 744, 745, 747, 754, 756, 761, 763, 773, 783, 784, 785, 786, 787, 799, 814, 815, 832, 833, 840, 851, 858, 860, 885, 888, 890, 891, 896, 898, 899, 901, 906, 907, 917, 920, 925, 970, 978, 988, 989, 990, 1197, 1202, 1203, 1204; **17**. 3, 14, 16, 17, 18, 20, 25, 29, 30, 33, 40, 43, 69, 72, 78, 82, 88, 90, 97, 100, 103, 108, 109, 112, 114, 116, 118, 119, 133, 161, 162, 164, 172, 176, 182, 187, 269, 271, 288, 331, 376, 385, 413, 416, 418, 429, 432, 438, 440, 444, 450, 458, 459, 460, 461, 469, 476, 480, 481, 482, 485, 494, 496, 501, 506, 508, 511, 512, 525, 537, 567, 579, 588, 589, 597, 598, 599, 600, 601, 604, 605, 669, 694, 759, 764, 774, 824, 825, 829, 830, 834, 836, 844, 867, 869, 909, 910, 914, 921, 922, 925, 929, 930, 937, 938, 947, 950, 967, 969, 977, 1046; **18**. iii, 1, 10, 33, 57, 84, 101, 111, 159, 165, 219, 281, 310, 313, 316, 324, 380, 381, 382, 387, 410, 435, 438, 446, 462, 463, 465, 491, 492, 493, 508, 516, 517, 518, 519, 521, 537, 540, 543, 556, 557, 563, 566, 567, 577, 589, 592, 593, 600, 606, 622, 626, 630, 632, 633, 634, 635, 638, 639, 642, 643, 647, 653, 662, 665, 666, 680, 691, 695, 702, 715, 716, 717, 742, 743, 748, 749, 760, 761, 762, 790, 796, 803, 809, 822; **19**. 28, 99, 100, 111, 112, 117, 171, 212, 221, 222, 224, 226, 233, 236, 240, 265, 287, 310, 343, 400, 409, 430, 431, 450, 463, 471, 473, 481, 485, 494, 495, 503, 505, 515, 535, 542, 543, 544, 545, 546, 552, 558, 561, 562, 567, 568, 569, 576, 580, 586, 615, 630, 641, 647, 663, 668, 668, 669, 673, 678, 698, 699, 704, 708, 709, 738, 746, 750, 768, 789, 803, 805, 820, 823, 860, 861, 862, 889, 894, 895, 906, 914, 943, 951, 952, 953, 956, 964, 977, 987; **20**. 1, 47, 55, 64, 86, 90, 106, 116, 119, 196, 227, 230, 240, 279, 371, 372, 375, 382, 423, 429, 432, 435, 451, 457, 458, 514, 515, 526, 527, 562, 566, 567, 583, 591, 608, 609, 614, 615, 621, 633, 639,

640, 644, 645, 649, 651, 655, 662, 664, 669, 677, 678, 684, 685, 722, 732, 733, 750, 752, 756, 757, 774, 778, 779, 783, 788, 789, 791; **21**. iii, iv, v, vi, 1, 10, 11, 12, 30, 43, 48, 51, 52, 67, 75, 92, 102, 126, 129, 131, 132, 137, 145, 146, 147, 170, 173, 187, 193, 241, 251, 253, 258, 262, 284, 285, 293, 294, 295, 298, 303, 313, 318, 320, 326, 327, 329, 333, 334, 337, 341, 346, 353, 365, 368, 401, 408, 447, 448, 464, 465, 466, 469, 472, 474, 478, 479, 483, 484, 491, 493, 495, 496, 499, 500, 503, 507, 509, 510, 517, 519, 548, 550, 551, 552, 555, 556, 558, 559, 561, 564, 567, 568, 574, 578, 614, 615, 623, 628, 630, 638, 640, 645, 647, 652, 661, 662, 664, 669, 670, 671, 672, 676, 691, 697, 709, 711, 713, 724, 725, 726, 729, 746, 764, 777, 793, 797, 798, 815, 820, 839, 854, 855, 859, 860, 864, 866, 867, 871, 876, 909, 950, 953, 958, 961, 962, 963, 969, 973, 980, 981, 982, 989, 992, 1000, 1009, 1013, 1029, 1030, 1032, 1034, 1035, 1052, 1053, 1055, 1057, 1060; **22**. i, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 24, 31, 33, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 93, 97, 102, 107, 111, 115, 117, 118, 120, 142, 145, 154, 180, 183, 185, 524, 530, 624, 637, 646, 650, 651, 707, 722, 785, 787, 788, 791, 792, 793, 794, 797, 798, 801, 893, 903, 904, 911, 912, 916, 920, 923, 927, 932, 933, 943, 945, 948, 949, 960, 964, 1006, 1007, 1012, 1023, 1028, 1040, 1049; **23**. 992, 998; **24**. 10, 11, 33, 34, 44, 75, 81, 85, 113, 119, 120, 121, 123, 124, 128, 130, 134, 159, 168, 169, 184, 189, 209, 212, 219, 221, 255, 256, 257, 263, 265, 266, 268, 277, 285, 286, 305, 310, 318, 319, 320, 322, 332, 334, 339, 341, 342, 343, 344, 345, 348, 351, 352, 355, 356, 367, 369, 377, 379, 380, 384, 396, 397, 401, 405, 406, 413, 417, 418, 427, 428, 434, 446, 457, 467, 489, 492, 501, 502, 510, 529, 547, 548, 549, 553, 557, 558, 559, 561, 564, 565, 568, 578, 594, 626, 650, 684, 687, 696, 709, 718, 719, 730, 735, 736, 744, 747, 748, 765, 784, 789, 793, 794, 795, 796, 797, 801, 802, 812, 873, 888, 893, 901, 909, 914, 951; **25**. 1, 8, 54, 55, 57, 58, 64, 73, 75, 81, 94, 111.

accounts with adjusted, **14**. 349; printed, **18**. 466; should be liquidated, **22**. 978-9, 980, 981, 982, 983, 987; to be adjusted, **12**. 415; to be presented, **13**. 212; 218-219, 250, 271; should be sent in, **13**. 471; to be stated, **10**. 1002; with Travis and Boush, **15**. 694-5.

act for paper currency to pay foreign debt, **24**. 722-5, 797, 812-13; for pensions, **21**. 909; for recovery of debts due to, **13**. 472; **24**. 187; for regulation of foreign trade, **24**. 561; on keeping prisoners of, **25**. 73-4; on settling accounts with and on witnesses, **24**. 737-8; to appoint delegates to Fed. Conv., **24**. 791; to cede lands to for light houses, **25**. 65; to cede western lands to, **24**. 561-4, 678-9; **25**. 4-6; to fix final settlement of claims against, **24**. 896-7, 956; to fix standard coin, **18**. 713-714, 716, 719, 746; to get account of militia service, **24**. 679-80; to make treaty of 1783 part of law, **24**. 885; to prevent officers of holding office under N. C., **23**. 983; **25**. 69-70; to procure testimony on claims against, **25**. 9-10; to rectify amendments to constitution of, **25**. 20-21.

action relating to accounts against, **13**. 749, 760-761, 766-767, 768, 818-819, 821, 832, 834, 873-874, 892, 906, 924, 928, 964, 983, 984, 985, 998, 999.

affairs with Morocco, **19**. 1000-1001.

Algerines declare war on, **17**. 480-481, 501-502, 541, 606.

and payment of public debt, **17**. 525-532, 533-536, 538-540, 542-544, 546-551, 558-562, 587.

and power to raise troops, **17**. 94.

and regulation of trade, **17**. 571-576, 592-593.

Annapolis and other towns offered as capital, **16**. 791-796, 813, 842-844, 877-878, 908-910; **17**. 116, 117, 606.

army increased, **18**. 768-769.

army or navy officers not to sit in gen. assem. in N. C., **10**. 1010.

auditors to state accounts against, **13**. 607-608, 610-611, 629, 643, 656, 721-722, 725-726, 734*h*-734*j*, 734*n*.

bill by Sumner against, **15**. 655; for provisions, **15**. 743; for loan to, **21**. 802-3; for pensions for soldiers of, **17**. 306, 310, 312, 320-1, 325, 330, 339, 342, 344, 369; for recovery of debts due to, **12**. 778, 779, 794, 803, 835, 853, 865; for regulation of trade by, **19**. 545, 552, 558, 561, 566-567, 568, 569, 574, 588, 589, 591, 607, 644, 660, 678; on settlement of claims against, &c., **21**. 24, 37, 39, 43, 45, 57, 84-85, 90, 117, 127, 131, 132, 134, 147, 150, 154, 160, 173, 183, 187; on treaty with Gr. Br., **20**. 144, 145, 170, 204, 209-210, 217, 242, 300, 325-326, 345, 387; to cede lands, **21**. 257, 270, 302, 311, 345-346, 376, 396-397, 626, 663, 679, 697, 699; to cede lands for light houses, **21**. 804, 812, 816, 940, 972, 981, 982, 984, 998; to cede Tenn. to, **19**. 568, 586, 587, 612-613, 616, 621-622, 634, 642-644, 649, 650, 651, 654, 657, 682, 699-700, 701, 704, 711-714; **20**. 513, 535-536; **21**. 57, 58, 90, 95, 106; to debar officeholders under from gen. assem., **21**. 758, 772, 780, 889, 906, 908, 910, 911, 924, 928, 936; to empower coms'rs to settle with, **17**. 313, 319, 321-322, 352, 362; to give taxing power to, **19**. 624, 678, 684, 688, 690, 697, 705-707, 708; to make treaty with Gr. Br. part of law, **18**. 199, 260, 399; to raise troops for defense of, **13**. 748, 759, 801, 806-807, 816, 820; to ratify amendments to Constitution, &c., **21**. 251, 260, 266, 271, 287, 293, 312, 426-429, 655; to recognize comr. of accounts of, **19**. 418, 452, 453, 470, 486, 487, 746, 747, 750, 795, 814; to repeal acts contrary to treaty, **19**. 210, 332, 340, 350, 420, 421, 582, 674-675, 715-716, 725, 746, 747, 754, 798, 800; to repeal Tenn. cession act, **19**. 420, 421, 440, 452, 453, 459-460, 741, 746, 747, 754, 761, 762, 766, 768, 773, 777, 794, 802-803, 804-805, 814, 830-832; **20**. 202, 379-380; to send militia to aid of, **12**. 180, 181, 197, 240, 251, 347, 355, 371, 378, 420; **13**. 358, 359-360; to vest powers in, **19**. 573-574.
board to settle accounts with States, **18**. 764, 783-785.
bounds fixed, **22**. 623.
British consul in, **17**. 589-590.
calls on States for share of revenue, **14**. 306-307, 321.
Canadians reported to have joined, **13**. 25, 32, 35, 36, 40.
cannot claim Earl Granville's lands, **16**. 889.
cash advanced to by N. C., **16**. 354.
cession of Tenn. to, **21**. 876-877.
character of gov't discussed, **17**. 36, 39.
charges of N. E. States against considered, **17**. 81, 94-97. 118-119.
Chickasaw treaty, **18**. 493-495.
claims against, **17**. 485; **18**. 646-647; considered, **21**. 22, 37; of N. C. against presented, **13**. 127.
commissioners to settle accounts of N. C. with, **12**. 619, 740-741; **16**. 744-745, 896; **17**. 33, 42, 50, 73-74, 80, 93, 112, 163, 165, 187, 270, 289.
committee on relations of State to, **21**. 753, 890-891, 902.
comptroller to settle accounts with, **19**. 664-665, 681.
Constitution submitted to C. C., **20**. 775-777.
contingent expenses, **18**. 539-542; **20**. 717.
control of trade by proposed, **17**. 63-64.
convention of proposed, **20**. 538, 542, 544, 545, 546, 556, 557, 567, 568, 591, 593.
debt due to, **21**. 13, 22, 37; against, **16**. 546-547.
demands surrender of N. W. posts, **17**. 588.
disposition of western lands provided for, **17**. 451-458, 459-460, 465.
duties, **18**. 528, 529, 557, 558, 738; due from in France, **17**. 436-437, 484, 552; not collected on goods from, **19**. 485-6.
duties of towards foreign nations on commerce, **18**. 559-560.
England may make offers to each State, **16**. 308.
expenses of and quota of States, **18**. 703-707.
foreign loans of, **16**. 760-767, 790; **17**. 177-180.
grievances of Br. merchants, **18**. 560-566.
independence acknowledged, **16**. xi; declared, **11**. 321; offered to, **14**. 309.

Indian treaties, **18**. 553, 554, 591-592, 599.
land cessions to considered, **21**. 503-504.
law for recovery of debts due to needed, **13**. 37.
lays off new States, **17**. 460-463.
mint established, **18**. 764-767, 769.
money advanced on credit of, **14**. 505; needed by, **19**. 945-946.
Moravians visited by Bp. Reichel, **5**. 1154.
naval stores brought in for, **13**. 2.
negotiations with Spain on Miss. boundary, etc., **22**. 899-902.
oath to considered, **21**. 936, 1021; required of Moravians, **5**. 1154.
officers not liable for supplies for, **16**. 397.
ordinance for gov't of territories, **20**. 740-746, 774; to require oath to, **23**. 985-6.
papers of referred to assembly and com. on, **12**. 384-385, 390, 393-394.
Pa. law on settlement of public accounts, **16**. 800-809.
pensions for, **17**. 499; proposed, **18**. 544-547, 590, 594.
proposed reduction of civil list, **20**. 651-652, 655.
provides for relief of troops, **17**. 467; sinking fund for its currency, **14**. 241-243.
public letters not to be printed, **17**. 429.
quotas under, **18**. 779-782.
reasons for dissolution of committees of C. C., **17**. 172-175.
receipts and expenditures, **18**. 667-668.
receivers of public money to be forced to report, **17**. 163-164.
regulation of commerce by C. C., **17**. 494-495; of Indian affairs, **18**. 710-713.
report on accounts with, **17**. 341-342; wanted, **20**. 7, 53; of com. of C. C. on settlement of accounts with Pa., **17**. 119-123; on money loaned to, **16**. 354-355; on money received by in 1782, **16**. 928-929; on public debt of, **17**. 52-63, 65-66; on receipts and expenditures, **17**. 559-562.
requisitions of, **20**. 784-785.
resolves of C. C. on no. of troops to be furnished, **14**. 272-273; on payment of troops, **17**. 438; on interpretation of treaty, **20**. 649-650, 661; on land cessions, **18**. 715, 716, 717, 721, 746.
return of impressments for, **15**. 524.
revenue system, **18**. 496-502, 527-534, 542-543, 556-560, 580-581, 584-585, 587, 650, 654-655, 658, 659, 660, 661, 681-684, 688, 692, 736-740, 772-773, 788-789, 792-793.
roster of N. C. troops in service of, **16**. 1002-1197.
senators instructed, **21**. 798, 815, 855-856, 859, 860, 902, 923, 953, 961-962, 963, 992, 1028-1030, 1040-1041, 1044, 1048-1049, 1055-1056.
settlement of accounts with N. C., **16**. 351-353, 405, 738-739, 745-747, 753-754, 756-757, 761-762, 782, 784-785, 811, 819-821, 826-839, 845-850, 852-855, 884, 887, 898-900, 917; **17**. 18, 73-74, 75, 77, 279, 281, 512-514, 546, 564, 568-571, 604-605, 607; **18**. 232, 281, 519-521; **19**. 542, 556; **20**. 30, 41, 53-54, 77, 107-108, 166, 171, 178, 187, 203, 242, 247, 274, 278, 281, 342, 353-354, 382, 446, 468, 479, 482, 484, 486-487, 490, 499, 500, 501, 502, 503, 504, 536, 556, 557, 561, 568, 580, 595, 596, 597, 602, 621, 694-697, 705-706, 732, 751-752, 774, 792; **21**. 211, 220, 227, 230, 263, 265, 276, 279-280, 283, 287, 295, 313, 339, 348, 349, 356, 371, 372, 381, 402, 405, 414, 425, 438, 439, 440, 441, 445-446, 449, 450, 451, 452, 455, 456, 461-462, 472, 474, 478, 479, 480-482, 489, 511-514, 517-518, 519, 526, 534, 537, 538, 539, 540, 549, 551, 552, 553-554, 560-561, 570-573, 590-591, 594, 620, 623, 634, 649, 650, 651, 669, 670, 685, 698, 701, 706, 711, 715, 726, 812, 857, 859, 866, 867, 868, 877, 913, 979, 980, 1026, 1036-1038, 1042, 1043, 1044, 1047, 1053, 1056.
S. C. allows U. S. to regulate, **17**. 43-48, 67.
statement of accounts with, **22**. 1009-20.
synod of, **8**. 757.
Thomas to assem. on settlement of pub. accts. with, **22**. 803-11.
time for presentment of claims against limited, **17**. 431-432, 433.
to coin copper, **20**. 684-685, 718.
to levy duties for public debt, **16**.

769-772.
tobacco to be devoted to foreign debt, **24**. 892-3.
trade with Gr. Br. encouraged and restrained, **16**. 811-813, 836-837, 840-841, 851, 857-858, 861-863, 866, 882-885, 895, 900-906, 915-916, 919, 925-926; **17**. iii, 20, 25, 30, 35, 44, 48, 51, 64, 125.
treats with Cherokees, &c., **17**. 429-431, 433, 434, 473-475, 479, 485, 487, 489-490, 493, 510-511, 514-515, 516-518, 522, 523-525, 536-537, 538, 558-559, 566-567, 568, 578-580, 582-586, 607.
treaty with Choctaws, **18**. 799-802; with France, **13**. 136, 144, 198, 264, 286, 304, 424, 425; with Gr. Br., **16**. 747-753, 758-759, 764-765, 773-774, 781, 783, 810, 836, 845, 848, 856, 857, 861, 865, 867-877, 880-881, 882-885, 895, 897, 900-906, 910, 913-916, 918, 920, 932, 955, 957, 963, 965, 977, 980, 985, 992, 1000-1001; **17**. v-vi, 4-9, 17-18, 19, 20, 22-25, 34-35, 49, 51, 90, 92-93, 109, 125, 144, 187, 188, 551, 588, 606; violated, **20**. 668-673, 677-678, 716, 718; with Portugal and Barbary States, **18**. 673; with Prussia, **18**. 609-620, 649, 676; with Shawnees, **18**. 513-515.
Va. cedes lands to and resolution on same, **16**. 891-894.
war with Algiers, **18**. 509.
Washington on defense of, **16**. 821; on good fortunes and gov't of, **16**. 813.
western lands ceded to, **17**. vi, 25-26, 49, 62-63, 66, 74, 77, 78-79, 81-82, 94, 98, 99-101, 110-111, 112, 135, 143, 146, 185, 186, 273, 274, 427-428, 440-449, 458, 460, 464-465, 485, 545, 601, 623-625.
withdrawal of Br. army from, **18**. 549-550.
United States Army, bill for tax for support of, **19**. 50, 112, 117.
United States Lottery, 12. 456.
Caswell on sale of tickets of, **13**. 110, 111.
United States Pension Office, extracts from records of, **13**. 343-344, 365, 366, 377, 391, 410, 423, 424, 479; **14**. 360-361, 365-369, 372-373.
United States Territory, ordinance for gov't, **20**. 740-746, 774.
Unity, ship, **10**. 130, 132.
Unity Parish, 8. 295, 297, 329, 352, 354, 384, 403, 405; **22**. 505, 507, 510.
act to create, **23**. 823-6; to dissolve vestry, **23**. 928.
bill to dissolve vestry, **9**. 387, 388, 394, 396, 443, 467, 470, 472, 485, 493, 497, 583, 622-623, 661, 682; to elect vestry, **9**. 111, 114, 120, 158, 159, 165, 169, 184.
vestry neglects to qualify, **23**. 856.
Universal History, 22. 885.
University, to be establd. in Franklin, **22**. 670.
University Magazine, reprints from, **10**. 870*a*-870*h*, 895-898, 1015-1017.
University of Cambridge, Eng., Queen's museum modeled on, **8**. 488; **25**. 519*e*.
University of Glasgow, 3. 339.
University of Goettingen, N. C. Lutheran churches put under, **8**. 762.
University of North Carolina, 8. 734; **22**. 128.
act to establish, **25**. 21-24; to exempt from taxation, **25**. 25; to raise funds for buildings, &c., **25**. 24-5.
bill for loan to, &c., **21**. 813, 974-975, 980, 981, 999; to establish, **19**. 447, 765, 781; **21**. 214, 228, 230, 232, 260, 265, 277, 325, 365, 401, 415, 430, 593, 623, 673, 709, 718; to prevent trustees from sitting in assembly, **21**. 983.
controlled by Presbyterians, **5**. 1184.
Davie father of, **19**. 998; on support of, **22**. 801.
established, **21**. v.
gifts to, **21**. 417, 418, 720.
grants to accepted, **21**. 806.
library proposed as depository of Davie papers, **19**. 994.
loan needed, **21**. 806, 878.
Person Hall, **8**. xxix.
provided for in constitution, **10**. 1012.
should be established, **23**. 984.
thanks Smith for gift, **22**. 802-3.
University of Oxford, Eng., Queen's museum modeled on, **8**. 488; **25**. 519*e*.
University of Paris, 13. 335.
University (College) of Pennsylvania, 7. 260.
University of St. Andrews, 4. iii, vii.

Unmerchantable commodities, act to prevent exportation of, **23**. 639-49, 675, 790-801; **24**. 580-6, 658-61; **25**. 18, 37, 266-7, 313-19, 378-87, 499-500.
bill to amend act to prevent exportation of, **7**. 310, 317, 324, 329, 330, 331, 338, 379, 382, 391, 403, 406, 409-410, 411, 421; **9**. 387, 398, 402, 403, 469, 470, 493, 498, 502, 505; to prevent exportation of, **6**. 1223, 1229, 1230, 1231, 1233, 1236-1237, 1252, 1258, 1263, 1268, 1269, 1274, 1284, 1286, 1292-1293; **7**. 48, 54, 69-70, 71, 77, 93, 563, 591, 594, 595, 904, 940, 951-952, 955, 957; **8**. 100, 103, 104, 131, 133, 136-137, 138, 297, 301, 302, 334-335, 336, 341, 344, 346, 429, 526; **9**. 842, 843, 848, 895, 896, 897, 900, 907.
law against and reason, **7**. 489-490.
Unnaconoy, makes treaty, **3**. 129-133.
Unsookanial, signs treaty, **17**. 586.
Unteloa, **17**. 586.
Unthank, John, petition on C. H., **9**. 806-808.
Unthank, Joseph, petition on C. H., **9**. 806-808.
Untoola, signs treaty, **17**. 586.
Untouky Marsh, **2**. 426.
Upchurch, John, takes oath, **22**. 169.
Upchurch, Moses, pensioner, **22**. 89.
Upchurch, Nathan, pensioner, **22**. 89.
Upchurch, Wm., takes oath, **22**. 170.
Upper Abbott's Creek, German Reformed churches on, **8**. 743.
Upper Alamance, **8**. 738.
Upper Broad Creek, **6**. 1082.
Upper Campbelton, **15**. 79, 210.
Upper Canada, Moravians in, **5**. 1158.
Upper Davidson Charge, history, **8**. 742-744.
Upper Fork of Middle Little River, **5**. 9.
Upper Grosvenor St., London, **8**. xxxv.
Upper Marlborough, Md., **9**. 1065, 1069.
Upper Norfolk, **1**. 676.
Upper Pennsylvania Road, **5**. x.
Upper Saura Town, **18**. 497.
Upper settlements of Cherokees, **22**. 995.
Upper Seymour St., London, **8**. xli.
Upper South Hico Church, **5**. 1184.
Upper Swift Creek Bridge, **10**. 95.
Upper towns of Cherokees, **5**. 613, 614.
Upper War Ford, **21**. 515.
treaty to be held at, **20**. 551, 552, 582.
Upton, Amos, in militia, **17**. 1054.
Upton, Amos, in militia, **22**. 348.
Upton, Ed., juror, **25**. 188.
Upton, Ed., quit rents of, **22**. 251.
Upton, Edward, juror, **4**. 518.
Upton, Henry, in militia, **17**. 1054.
Upton, James, regulator, **8**. 79.
Upton, Jno., army rank, **16**. 1176.
Upton, John, in army, **13**. 524, 530.
Upton, John, juror, **25**. 188.
Upton, John, on C. affairs, **1**. 242-244.
proposal for recovery of custom arrears, **1**. 329-331.
signs presentment of Culpepper, **1**. 262-263.
to Lords of Treasury on Miller's petition, **1**. 267-269.
Upton, John, quit rents of, **22**. 251.
Upton, John, vestryman, **2**. 209; **23**. 7.
Upton, Jos., in militia, **22**. 348.
Upton, Jos., juror, **25**. 188.
Upton, Josiah, army rank, **16**. 1176.
Upton, Josiah, in militia, **22**. 348.
Upton, Thomas, juror, **4**. 518.
Upton, Thos., quit rents of, **22**. 251.
Upton, Wm., juror, **4**. 518.
Upton, Wm., juror, **25**. 187.
Upton, Willis, army pay, **17**. 255.
army rank, **16**. 1176.
Upton, Willis, in militia, **22**. 349.
Upton, **12**. 458.
Urah Swamp, **2**. 426, 452.
Urakaw Swamp, **4**. 67.
Ure, Capt., imports Protestants, **4**. 645, 686.
Ure, Capt., a prisoner, **10**. 486.
Ure, Uriah, in militia, **15**. 399.
pensioner, **22**. 89.
Uring, Mr., **2**. 482.
Urme, Francis, land grant to, **4**. 329.
Urmston, John, **2**. 54, 137, 171, 200, 479, 509, 584.
act on salary for, **25**. 167.
age, **2**. 372.
arrested, **2**. 417; for debt, **2**. 294.
at vestry meeting, **1**. 831, 833.
baptizes, **1**. 766.
buys house, land, servants, **2**. 187; negroes and white servants, **2**. 126. buys plantation and lives well, **2**. 17; and builds, **1**. 763-764; slaves, **2**. 279.
character, **2**. 431.
collection for, **2**. 11.

complains that salary is not collected, **2**. 121.
criticises Lawson, **2**. 186.
debts to, **1**. 851; **2**. 151, 381.
defends himself, **2**. 131.
divides parish with Rainsford, **1**. 858.
Eden's estimate of, **2**. 227-228, 269-270, 293.
estimate of people, **2**. 271.
extent of work, **2**. 77.
gets no support from people, **2**. 122.
gives Bible, **2**. 11.
health fails, **2**. 77.
Hyde's estimate of, **1**. 849-850; **2**. 17.
increase of salary wanted, **2**. 120.
indicted, **2**. 401.
informs on French, **2**. 72.
leaves N. C., **2**. 430.
length of service, **2**. 431.
library of, **2**. 130.
misrepresents N. C., **1**. 849-850.
needs of, **1**. 772.
not allowed to sit in vestry, **2**. 127.
on carelessness of his correspondents, **2**. 128.
on Cary Rebellion, **1**. 773-775.
on character of people, **2**. 76.
on fate of libraries, **2**. 128, 130.
on his attorney's lack of faith, **2**. 132.
on N. C., **2**. 186.
on Rainsford, **2**. 78, 127-128.
on readers, **1**. 771.
orders supplies, sugar, molasses, rum, malt, &c., **2**. 128.
paid by Chowan, **1**. 829, 830-831.
place of birth, **2**. 249.
purposes to return to England, **2**. 371, 374.
Rainsford on, **1**. 858; **2**. 17, 153.
reasons why his life has been preserved, **2**. 309.
report on Rainsford noticed, **2**. 153; on coming of Nicholson, **2**. 120.
salary, **1**. 765-766, 770; **2**. 127, 218, 248.
spirit of trade in, **2**. 77.
starves, **1**. 850-851.
stock of, **1**. 764.
sufferings of, **1**. 763-764, 887-888; **2**. 77-78, 116-117, 126-127, 130-132, 138, 187, 218-220, 248, 272, 278-279, 294-295, 309-311, 371-373, 373-374, 416-417.
to go home, **2**. 123.
to Hodge on books and religious affairs, **1**. 884-885.
to Nicholson on church affairs, **2**. 125-128; on his misfortunes, **2**. 116-117; on N. C. affairs, **2**. 76-78.
to S. P. G. on books, **2**. 309-311; on church affairs, **1**. 887-888; **2**. 130-132, 138, 176-177, 247-249, 260-261, 278-279, 286-288, 294-295, 304, 380-382; **2**. 270-272; on death of Taylor, **2**. 380-382; on Gale and Eden, **2**. 284-286; on his debts and other affairs, **2**. 416-417; on his leaving N. C., **2**. 431-432; on his misfortunes, &c., **2**. 187, 218-220, 371-373, 373-374; on Indian troubles, **2**. 143-144; on Indian wars and affairs generally, **2**. 185-186, 187; on N. C. affairs, **1**. 763-772, 850-851; on servants, **2**. 260-261; on vestry act, 223-224.
travels of, **2**. 432.
tries to get Adams and Gordon libraries, **2**. 130.
turns his son off, **2**. 417.
vestry on character of, **2**. 119.
wife dies, **2**. 371, 373-374.
work of, **1**. 765, 767, 769, 770.
Usery, John, released, **19**. 437.
Uses and Wills, Eng. act on in force in N. C., **23**. 322.
Usher, Mr., declines to act as surgeon, **12**. 36.
surgeon, **10**. 952.
Usher, James, Britanicarum Ecclesiarum Antiquitates, **2**. 583.
Usher, Wm., army rank, **16**. 1176.
Usher, fees, **4**. 276.
Usley, Richard, associated with Graff, **5**. 1152.
charges of, **5**. 1152.
dies, **5**. 1153.
Usrey, Wm., asks for new county, **9**. 89-90.
Ussery, Thos., pensioner, **22**. 89.
Ussery, Thomas, regulator, **7**. 808.
Ussery, Thomas, regulator, **8**. 80.
Ussery, Welcome, regulator, **8**. 80.
Ussery, Wm., insults and obstructs officer, **8**. 400.
Ussery, Wm., regulator, **8**. 80.
Ussory, Thomas, in assem., **21**. 2, 3, 23, 47, 49, 52, 66, 67, 68, 74, 77, 109, 121, 128, 160, 168, 189, 872, 908, 965, 970, 980, 999, 1003, 1004, 1006, 1012, 1015, 1021, 1030, 1050, 1055.

in conv. 1788, **22**. 3, 6, 26, 28, 30, 32, 35.
Usteneca, signs Cherokee treaty, **7**. 855.
Ustenuah Ottassatic, makes agreement on Cherokee boundary, **7**. 469-471.
Ustota, 7. 997.
Usury, act against, **23**. 169, 336.
bill to restrain, **6**. 1223, 1266, 1268, 1272; **7**. 304, 365, 366, 370.
Utaw. See Eutaw.
Utley, Burwell, pensioner, **22**. 89.
Utley (Uttley), Ezekiah, horseman and deserter, **15**. 509.
Utley, Jacob, militiaman, **9**. 344, 689.
Utoonanacherboa, signs Choctaw treaty, **18**. 802.
Utrecht, treaty of, **2**. 764; **5**. 222, 408, 463, 464, 465, 466; **17**. 608.
Utter, Henson, deserter, **15**. 510.
Utzmann, Lewis, helps reorganize Lutheran Church, **8**. 784-785.
Uty (Utye), Col. Nathaniel, commissioner on tobacco planting, **1**. 117-118, 139-143.
Uwharrie Creek, 22. 149.
See also Uhwarrie River.
Uxford, Samuel, enters land, **4**. 960.
land grant asked, **4**. 962-963; grant to, **4**. 1033, 1037, 1038.
rights proved, **4**. 1035.
Uzzell, Peter, executed, **5**. 977.
Uzzell, Thomas, claim allowed, **5**. 977.

V

V ——n, ——, 8. 537.
Vaden, Wm., sells horse, **19**. 928.
Vagabonds, in N. C., **3**. 49.
Vagrants, act on, **23**. 435-437, 538, 678, 746-7, 831-2, 839; **24**. 157-9, 597-8; to enlist for service in French war, **25**. 310.
bill for restraint of, **5**. 502, 503, 504, 507-508, 509, 510, 519, 528, 530, 531, 532, 535, 538, 540, 541, 544, 558; **6**. 457, 458, 459, 468, 488, 491, 493, 495, 496, 499, 511; **8**. 301, 302, 325, 342, 345, 348, 364, 365, 367, 369, 384, 387, 391, 395, 429, 430, 435, 437, 439, 441, 444, 478, 523; **12**. 612, 613, 614, 631, 632, 654, 725, 727, 730, 731; **19**. 556, 558, 566, 574, 589, 624, 625, 676, 702; **20**. 158, 166, 339, 348; to continue act against, **7**. 300, 301, 304, 305, 339, 355, 360, 362, 365, 367, 369, 419.
laws against ment'd, **1**. 514, 515, 517; needed, **12**. 576, 577, 680.
should be considered, **5**. 548; restrained, **5**. 299.
to be arrested, **23**. 612.
Vail. See Veal, Veale, Vial.
Vail, Mr., 5. 812.
Vail, Mr., negroes of break jail, **15**. 70.
Vail, Mr., witness, **3**. 220.
Vail, Capt., 10. 963.
courtmartialed and cashiered, **13**. 372.
roster of co., **16**. 1003, 1010, 1040, 1063, 1088, 1095, 1101, 1109, 1123, 1132, 1143, 1153, 1168, 1181.
Vail (Veal, Vaile, Vale), Edwd., army rank, **16**. 1177.
asks recruiting expenses from assembly, **5**. 255, 256.
brigadier gen. of militia, **10**. 530, 552, 563; **11**. x; **12**. 100, 103, 109.
building coms'r, **23**. 683.
colonel, **9**. 298; **10**. 204; **11**. x.
com. of safety to on need of powder, &c., **11**. 308-309.
dead, **22**. 919.
examines Ft. Dobbs, **5**. 897, 909.
in assembly, **5**. 232, 251, 263, 264, 270, 276, 278, 281, 282, 286, 291, 304, 503, 504, 505, 511, 515, 516, 517, 521, 523, 532, 533, 534, 543, 678, 679, 686, 689, 727, 837, 843, 858, 867, 885, 889, 894, 897, 919, 1002, 1010, 1011, 1021, 1046, 1056, 1057, 1075; **6**. 91, 97, 105, 120, 125, 127, 128, 133, 140, 145, 152, 155, 160, 163, 164, 352, 362, 377, 381, 399, 421, 427, 429, 435, 459, 470, 471, 475, 482, 483, 493, 495, 499, 514, 515, 516, 662, 801, 823, 826, 833, 856, 893, 903, 923; **7**. 301, 343, 359, 360, 364, 373, 377, 381, 575, 586, 618, 628, 977, 982; **8**. 90, 100, 106, 107, 111, 113, 125, 129, 130, 145, 303, 304, 305, 326, 400; **9**. 122, 170, 175, 180, 190, 223, 448, 734, 736.
on Chowan S. C. and chm. of same, **10**. 847.
on claims com., **22**. 818, 823, 824, 830, 835, 840, 852, 853.
on com. of assem., **6**. 804, 805, 817, 823; **7**. 297, 345, 370, 627, 897, 936; **8**. 90, 110, 111, 112, 118, 141, 288, 308, 309; **9**. 711, 739.

on com. of correspondence, **7**. 918, 973; **9**. 741; **11**. viii, 229; **25**. 518.
on court martial, **11**. 752.
on value of Ft. Dobbs, **5**. 803.
payment for troops of, **5**. 978.
petition on trade, **5**. 321-324.
port coms'r, **23**. 667.
reports on land grants, **5**. 1088-1094; on militia co., **22**. 355; to on movement of regulators, **8**. 687; on public claims, **6**. 209-215.
serves in French war, **5**. xi.
testimony of irregular, **12**. 493.
to distribute powder, **10**. 644.
to McCulloh on his employment as agent, **7**. 877-879.
to march troops to southward, **10**. 535.
to raise fund for premiums, **9**. 1134, 1141.
to S. C. and Va. on Boston and other troubles, **11**. 245-246, 247-248.
Tryon to on raising troops in Chowan, **8**. 705, 708.
warehouse coms'r, **23**. 444.

Vail, Edward, Jr., claims, **9**. 590.
lieut., **10**. 187.

Vail (Vaile, Veal), Jeremiah, 2. 346.
petition about road, **2**. 509-510.
sued for slander, **2**. 399-400, 404, 412, 440, 441.

Vail (Vaile), Jeremiah, bill to appoint receiver in place of, **5**. 879, 908-909, 910.
capitol coms'r, **23**. 348.
clerk, **4**. 233.
collector, **23**. 373, 397.
coms'r on buildings, **23**. 365; on road, **23**. 220; **25**. 264.
customs receiver, **5**. 860.
debt to public collected out of estate, **6**. 1097, 1098-1099, 1138-1139, 1160, 1162, 1166, 1210-1211.
deposition, **5**. 823.
deputy clerk of council, **5**. 31.
duties paid to, **8**. 445.
gets votes for assembly, **5**. 245.
in assembly, **5**. 42, 53, 60, 61, 62, 64, 72, 192, 193, 199, 212.
inspector, **23**. 381.
juror, **2**. 477, 821; **25**. 185.
land grant delayed, **4**. 1047; to, **4**. 629, 768.
lot of vested in school trustees, **24**. 608.
makes map of Wilmington, **25**. 258.
on com. of assembly, **5**. 39, 54, 74, 181, 193, 195, 196, 208, 1043, 1051; **6**. 98, 108, 119, 136, 350, 368, 369, 453, 483, 486.
petition on trade, **5**. 321-324.
promises to report on duty received, **5**. 827.
report on estate of, **6**. 498.
rights proved, **4**. 1039.
surety, **5**. 929-930.
witness, **5**. 337.

Vail, Jeremy, quit rents of, **22**. 257.

Vail, John, juror, **4**. 516.

Vail, John, juror, **4**. 522.
in assembly, **6**. 801, 893, 903, 923; on com. of assem., **6**. 805, 817.
road coms'r, **23**. 214.

Vail, Mary, land grant to, **4**. 56.

Vail, Moseley, clerk of assembly, **3**. 556, 557, 558, 592, 594, 595, 597.
nephew of E. Moseley, **3**. 615.
witness for E. Moseley, **3**. 468-469, 470.

Vail, Ned, in attack on Pollock, **10**. 1032.

Vail, Robert, exempted, **5**. 1045.

Vail, Thos., act to make him treasurer of Edenton Dist., **24**. 763-4.
memorial, **21**. 221, 587.
petition, pardon and proceedings, **20**. 203, 205, 235-236, 240, 295-299, 384, 425-426.

Vaile, Mrs., pay to, **22**. 499.

Vaile, Edwd., Sr., a J. P., **23**. 993.

Vaison, Leml., army rank, **16**. 1179.

Vaisy, Nathl., army rank, **16**. 1179.

Valdes, Antonio, 18. 526.

Valentine, Malachi, army pay, **17**. 255.
soldier, **18**. 797.

Valentine, Peter, army pay, **17**. 255.
army rank, **16**. 1179.
in Davidson's co., **14**. 294.

Valentine, Silas, army pay, **17**. 255.

Vallantine, Alex., quit rents of, **22**. 240.

Vallentine, Danl., army rank, **16**. 1179.

Valleway, Jane, sells land, **1**. 618.

Valleway, John, buys land, **1**. 611.
sells land, **1**. 618.

Valley Baptist Asso'n, history, **5**. 1185, 1192.

Valley Forge, Pa., **11**. 828; **12**. 515; **13**. 137, 361, 366, 370, 374, 381, 385, 419, 505, 507, 508, 510, 511, 514, 515, 517, 520, 521, 522, 523, 524, 525, 526; **15**. 12, 718, 721, 723, 725, 727, 729, 731, 733; **22**. 94, 153

army at, **11**. 826; **13**. 21, 38.
N. C. troops at, **11**. xvi; suffer at, **13**. viii.
report on N. C. troops at, **13**. 391, 427, 428.
returns of N. C. troops at, **11**. 703.
siege of, **8**. 770.
troops winter at, **13**. iii.
Valley settlements of Cherokees, 22. 930; **24**. 141.
act for treaty with, **24**. 509-10; **25**. 59.
treaty to be held with, **22**. 760-1.
Valley towns (Cherokee), 22. 649.
Valuation Act, instructions to agent on, **9**. 579.
discussed, **9**. xiv, xv.
Valway, John, juror, **25**. 186.
Van. See Vann.
Van, Nathl., army rank, **16**. 1179.
Van, Wm., quit rents of, **22**. 257.
Van Berkel, Mr., 17. 131.
Van Clave, Mr., 5. 1209.
Van Cleave, Aaron, petitions, **19**. 927.
Van Cleave, Benj., petitions, **19**. 927.
Van Cleave, Ralph, petitions, **19**. 927.
Van Cleave, Willis, petitions, **19**. 927.
Van Dan, Isaac, in militia, **22**. 323.
Van Heir's Corps, payment to, **16**. 354.
Van Holleds, 12. 466.
Van Ross, capt., **15**. 153.
Van Schelleback (Van Shellebuck, Van Schellenback), Mr., 16. 489.
pay to ordered, **17**. 838, 929, 930, 934.
to Burke on imported supplies, **16**. 232-233.
Van Shelleback & Co., and Bretigny's supplies, **16**. 395.
to deliver arms and ammunition, **16**. 387.
Van Schellebeck and Mailhol, Burke to on schooner, freight, &c., **16**. 549-550; on work of Bretigny, **16**. 530-531.
invoice to, **19**. 879-880.
pork to, **16**. 494.
report on supplies, **16**. 475.
Van Sweeten's Cure for Armies, sent to N. C., **10**. 756.
Van Vleck, Bishop, correspondence with ment'd, **8**. 778.
Vanbibber, Isaac, & Co., import goods, **10**. 576.
Vanboreas, Paul, army pay, **17**. 255.
Vance, ——, owes State, **21**. 1070.
Vance, Col., position of regt. in army, **12**. 508.
Vance, Lieut., wishes of, **16**. 625.
Vance, Davd., army rank, **16**. 1177.
Vance, Davd., army rank, **16**. 1177.
Vance, Davd., army rank, **16**. 1179.
Vance, David, army record, **13**. 480.
Vance, David, bill to collect specific supplies, **20**. 9, 14, 15, 16, 24.
coms'r on boundary, **24**. 646; on line, **24**. 472; on school, **24**. 535.
debt to be collected from, **10**. 253.
dist. auditor, **24**. 735.
in assembly, **18**. 238, 257, 284, 297, 302, 311, 312, 317, 345, 346, 351, 361, 362, 376, 389, 399, 412, 429, 440, 443, 445, 468, 469, 470, 471; **21**. 871, 873, 927, 930, 931, 937, 941, 946, 965, 969, 980, 999, 1004, 1006, 1012, 1013, 1015, 1032.
insolvents allowed, **21**. 419-420, 424, 435, 721.
major, **20**. 272, 460.
on com. of assembly, **18**. 30, 83, 163, 243, 263, 282, 283, 316, 386.
See also Vane, David.
Vance, David, in army, **13**. 508.
Vance, David, ensign, **10**. 622.
Vance, Elijah, army rank, **16**. 1177.
in army, **13**. 508.
Vance, James, army pay, **17**. 255.
army rank, **16**. 1179.
Vance, John, 11. 545, 546, 547, 591, 597; **22**. 154.
asked for guard, **11**. 505.
captain, **10**. 629; **15**. 786, 787.
captured, **17**. 1048.
clothing, &c., to, **22**. 914.
commands artillery in 10th reg't, **12**. 132-133, 294; **22**. 780, 903, 904.
committee to investigate conduct of and action on same, **12**. 38, 106, 117, 123-121, 140, 141, 271, 281-282, 290-291, 299-300, 307.
goes north with his company, **11**. xv.
officer, **18**. 486.
ordered to the north, **11**. 614, 616.
report against ment'd, **11**. 490.
resolve of assembly on, **12**. 135-136.
return of artillery commanded by, **10**. 803.
supplies to co., **22**. 749-50.
to be reinstated in artillery, **22**. 921.
to Caswell on pay for troops, **11**. 676; on tories, **11**. 547-548.
to move against insurgents, **11**. 536.
to raise company, **10**. 572.
Vance, John, Cont. lieut., **22**. 1049.
Vance, Jno. C., army rank, **16**. 1196.

Vance, John Curlow (Curlon, Cureton), lieut. artillery co., **15**. 735; **22**. 926.
on clothes for artillery, **11**. 672.
recommended as lieut., **11**. 548.
Vance, Samuel, petition on C. H., **9**. 806-808.
Vance, Sam'l, petition on separation, **22**. 705-8.
Vance, Wm., in army, **21**. 88.
Vance, Wm. Ross, army rank, **16**. 1196.
in army, **15**. 735.
Vance Co., riots in, **5**. lix.
Vanclift, ——, stops survey, **5**. 494.
Vandalia Company, claims discussed, **14**. 217-218.
Vandaring's Mill, Pa., **11**. 643.
Vandeford, Noah, army rank, **16**. 1178.
Vandemerk, James, bill for goods, **22**. 441, 456.
Vanderford, Wm., petition of discussed, **13**. 150-151, 158-159.
Vandergrift, Leonard, army rank, **16**. 1179.
Vanderhorst, Maj., **14**. 666.
Vanderhort, Arnoldus, **18**. 463, 464.
and Indian supplies, **18**. 554-6; **20**. 403, 404.
forwards goods, **17**. 582.
imports goods into S. C., **18**. 524.
receives Indian goods, **17**. 524.
to Blount on Indian treaties, &c., **17**. 536-537, 558-559.
Vanderlyn, ——, paints Davie, **19**. 998.
Vandermark, James, payment to, **22**. 441, 456.
Vandermulin (Vandorumlen), Thos., **23**. 12.
commends Adams, **1**. 728-729.
on Cary Rebellion, **1**. 784-787.
to divide estate, **1**. 421.
vestryman, **2**. 209; **23**. 7.
voting place on land of, **2**. 214.
Vandewater, ——, **14**. 95.
Vandicke, Henery, in militia, **22**. 368.
Vandike, Gov., to Caswell on trade conv'n, **18**. 683-684.
Vandike, Charles, pay to, **22**. 489.
Vandiver, Charles, petition, **16**. 67, 69, 82, 88; **19**. 40, 53.
tory, **16**. 155.
Vandiver, Matthew, pensioner, **22**. 89.
Vandozen, John, land grant to, **4**. 281.
Vandross, Maj., canvas to, **14**. 436.
Vanduyck, John, in army, **13**. 479; **16**. 1197.
Vandyck, Henry, in militia, **22**. 371.
Vandyk, John, lieut. artillery, **15**. 734.
Vandyke, Lt. Col., field officer, **12**. 525.
Vandyke, Chas., army rank, **16**. 1178.
Vane (Vance?), David, coms'r on pension claims, **24**. 736.
Vaneverts, Minerats, in militia, **22**. 421.
Vangelder, Tunis, suit against, **2**. 690, 691, 692.
Vanhassett, Wm. H., Martin to on trade with States General, **16**. 785-788.
petition, **19**. 149, 262, 268.
Vanhook, Mr., **5**. 1204.
Vanhook, Aaron, **5**. 1212.
claim allowed, **5**. 980.
Vanhook, David, asks for new county, **9**. 90.
Vanhook, Isaac, asks for new county, **9**. 89-90.
Vanhook, Jacob, certificate lost, **19**. 297.
Vanhook, Lawrence, claim, **9**. 489.
election illegal, **12**. 589, 695-696, 702.
Vanhook, Lloyd, asks for new county, **9**. 89-90.
town coms'r, **24**. 993.
Vanhook, Samuel, asks for new county, **9**. 90.
juror, **7**. 842.
Vanhorn, ——, a pirate, **1**. 348.
Vanhorn, Lt., **22**. 158.
Vanhorn, Peter P., work as a Baptist, **5**. 1165-1166, 1175.
Vanhur, A., pay to, **18**. 541.
Vanlandingham, Richard, petition on C. H., **9**. 806-807.
Vanlubin, Chris., juror, **25**. 188.
Vann. See Van.
Vann, Ed., in militia, **22**. 328.
Vann, Edward, land grant to, **4**. 884.
Vann, Geo., in militia, **22**. 359.
Vann, John, claim allowed, **5**. 983, 985.
committee on public claims meets at house of, **5**. 975-986.
Vann, Jno., in militia, **22**. 327.
Vann, John, surety, **5**. 611.
Vann, Joseph, juror, **4**. 517.
Vann, Wm., in militia, **22**. 327.
Vann, Wm., in militia, **22**. 328.
Vann, Wm., juror, **4**. 517.
Vann, Wm., town coms'r, **24**. 776.
Vannoy (Venoy, Vanoy, Vanois, Van Noy), Andrew, army pay, **17**. 255.
army rank, **16**. 1179.
captain, **10**. 936-937.
on clothes for 10th regt., **11**. 670-671.
roster of co., **10**. 1006, 1017, 1022.

1045, 1052, 1092, 1116, 1137, 1159, 1172, 1187.
Vannoy, John, 5. 1205.
Vanpelt, Arthur, army pay, **17.** 255.
Vanpelt, Daniel, juror, **4.** 522.
land grant to, **4.** 642.
Vanpelt, Henry, quit rents of, **22.** 243.
Vanpelt, Jacob, in militia, **22.** 319.
Vanpelt, John, discharged by court, **2.** 663.
juror, **4.** 522.
land grant to, **4.** 589.
Vanpelt, John, jailed, **22.** 855.
Vanpelt, Peter, army rank, **16.** 1178.
Vanpelt's (Van Pelt's, Van Plett's), inspection at, **23.** 641, 792; **25.** 313, 379.
Vanschaick, Col., field officer, **12.** 531, 546.
position of regt. in army, **12.** 509.
Vantrump, Peter, petitions for his liberty, **2.** 702-703.
Vanzant, Jacob, in militia, **22.** 429.
Varcaze, Jas., army rank, **16.** 1179.
Varcer, ——, 15. 381.
Varden, David, army pay, **17.** 255.
Varden, Davd., army rank, **16.** 1179.
Varden, Silvester, in militia, **22.** 334.
Vardey, Aaron, signs Cumberland Co. Ass'n, **10.** 29-30.
Varell, Dr. Wm., school trustee, **24.** 876.
Vargin, Benjamin, receives clothing, **16.** 619.
Varle, Capt., movements reported, **5.** 136.
Varnam, John, exempted, **8.** 394.
Varnan, James, petition on C. H., **9.** 806-807.
Varnelson, Wm., in militia, **22.** 324.
Varner, ——, on guard, **12.** 511.
Varner, Lieut., on court martial, **12.** 514.
Varner, Robert, army pay, **17.** 254.
army rank, **13.** 475; **16.** 1177.
owes State, **21.** 1070.
Varner, Robert, signs Cumberland Co. Ass'n, **10.** 29-30.
Varnham, John, land patent to, **1.** 253-254.
Varnon, Thos., army pay, **17.** 255.
Varnum, Brig. Gen., 12. 499, 501, 504, 505, 507.
composition of brigade, **12.** 508.
Varnum, James, rights proved, **4.** 598.
Varry, Benj., army rank, **16.** 1178.
Vas. See Vos.
Vas, Joanna, sells land, **1.** 485.
Vas (Voses), Wm., gives power of att'y, **1.** 485.
sells land, **1.** 485.
Vase, T., Baptist minister, **5.** 1183.
Vasey, Nathaniel, army pay, **17.** 255.
Vashon, Mr., asst. quartermaster, **15.** 698.
quartermaster for hospitals, **11.** 713.
Vass, Mr., 15. 450.
negligent as commissioner, **14.** 430.
Vass, Philip, accounts of to be settled, **19.** 586.
and provisions, **16.** 961.
Bd. War to on provisions, **14.** 447-448.
letter of ment'd, **14.** 432, 438.
salt to, **14.** 460.
to Burke on beeves, **15.** 636.
to hold hogs for govt., **17.** 676-677, 757, 758, 759.
to Sumner on provisions, **15.** 599.
Vass, Vincent, allowance to, **12.** 611; **17.** 873-874, 876, 970, 972-973, 976; **19.** 371.
report on memorial of, **17.** viii.
Vass, W., allowance to, **13.** 911.
Vassall, ——, ment'd, **1.** 160.
Vassall, Henry, proposes to found new colony on Cape Fear, **1.** 145.
to Proprietors on Yeamans's colony, **1.** 144-145.
Vassall, John, 1. 46.
petition from, **1.** 145-149.
surveyor general, **1.** xiv, 73.
to Colleton on breakup of Clarendon Co., **1.** 159-160.
Vassell, Samuel, claims C. under Heath charter, **1.** 35-36.
Vasser, Robt., in militia, **22.** 377.
Vattell, quoted, **22.** 902.
Vaud, Canton de, 1. 977, 985.
Vaudam, Isaac, sells guns, **5.** 983.
Vaugh, James, in army, **15.** 732.
Vaugh, Richd., army rank, **16.** 1177.
Vaughan, Capt., roster of co., **16.** 1031, 1066, 1077, 1091, 1103, 1114, 1146, 1171, 1185.
Vaughan, Col., 14. 582.
Vaughan, Gen., expected to invade Ga., **14.** 285.
troops suffer, **17.** 989.
wants horses, **15.** 311.
Vaughan, Abm., army rank, **16.** 1179.
Vaughan, Danl., army rank, **16.** 1179.
Vaughan, Geo., letter from ment'd, **5.** 251.

letter on his proposed gift to education and religion, **5**. 144*b*-144*c*.
scheme for religion and education considered, **5**. 306.
Vaughan, James, army pay, **17**. 255.
army rank, **16**. 1178.
captain, **10**. 975; coms'r on town, **24**. 856; to impress horses, **17**. 856, 939-940, 943.
in assembly, **13**. 785, 786, 823, 913, 925, 975, 980, 982, 984, 988, 990, 1000; **16**. 3, 127, 153, 165, 167; **17**. 715, 770, 795; **18**. 227, 228, 247, 253; **19**. 78, 101, 234, 235, 262, 282, 283, 286, 295, 299, 324, 334, 354, 359, 381, 383, 385, 388, 389, 395, 745; **20**. 120, 121, 159, 238, 239, 240, 246, 276.
in conv. 1788, **22**. 3, 6, 26, 28, 30, 32.
lieut., **10**. 944.
on com. of assem., **13**. 740, 790, 791; **16**. 116, 144; **17**. 727, 755.
petitions, **19**. 933.
Vaughan, Jo., to Gates on wounded Americans, **14**. 559.
Vaughan, Vincent, army pay, **17**. 255.
army rank, **16**. 1179.
pensioner, **22**. 89.
Vaughan, West, army rank, **16**. 1178.
Vaughan, Wm., army rank, **16**. 1179.
Vaughan, Wm., attends Board of Trade, **4**. 437.
Vaughan, Wm., in militia, **22**. 315, 316.
Vaughan, Wm., law suit, **2**. 91.
proves account, **2**. 149.
sent to fix up peace, **2**. 141.
tried and dismissed, **1**. 856.
Vaughan, Wm., pensioner, **22**. 89.
Vaughan, Wm., petition on imprisonment of debtors, **5**. 754.
Vaughan, Wm., resurvey granted to, **4**. 590.
Vaughan, Wm., town coms'r, **24**. 860.
Vaughan, Wm., & Co., law suit, **2**. 91.
Vaughan, Zachariah, takes oath, **22**. 169.
Vaughan & Co., law suit, **2**. 91.
Vaughn, ——, prisoner, **16**. 671.
Vaughn, James, army pay, **17**. 255.
army rank, **16**. 1177.
Vaughn, Jno., army rank, **16**. 1179.
Vaughn, Richard, army pay, **17**. 255.
Vaughn, Wm., army rank, **16**. 1179.
Vaun, ——, impresses horse, **22**. 592.
Vaunce, Capt., **10**. 417.
Vaux, William, petition, **1**. 305-306.
Veach, Nathan, lieut., **22**. 106.
Veal. See Vail, Vaile, Vial.
Veal, Mr., **4**. 444.
Veal, Col., **22**. 751.
Veal, Edward, army record, **13**. 480.
Veal (Veale), Frans., land grant to, **4**. 619.
land grant to delayed, **4**. 220.
Veal (Veale), John, land grant asked, **4**. 440.
land grant to, **4**. 446.
Veal, Wm., Mrs. Gregory to be administratrix of, **11**. 721.
Veale, Mary, land grant to, **4**. 714.
Veale, Wm., **11**. 797.
Veale, Wm., petitions on roads and ferries, **5**. 164-166.
Veall, Capt., **2**. 319.
Veasey, Elias, in militia, **22**. 164.
Veasy, James, in militia, **22**. 164.
Veazey, Elijah, takes oath, **22**. 171.
Veazey, James. takes oath, **22**. 171.
Veazey, Telulu, takes oath, **22**. 179.
Veazey, Thos., takes oath, **22**. 170.
Vehicles, tax on, **23**. 690, 702.
Veitche family, **8**. 742.
Velin, Robert, army pay, **17**. 255.
Vellson, Berry, land grant to, **4**. 851.
Velst, Peter, juror, **25**. 189.
Veltheusen, John Casper, **8**. 766.
letter to on condition of Lutheran churches in N. C., **8**. 772.
receives aid for Germans, **8**. 632.
Venable, John, pensioner, **22**. 89.
Vendrick, Dan., in militia, **22**. 315.
Vendrick, Jno., in militia, **22**. 315.
Vendrick, John, land grant to, **4**. 962, 1250.
Vendrick, Peter, in militia, **22**. 315.
Vendrick, Peter, pensioner, **22**. 89.
Vendue law, bill to repeal, **21**. 889.
Vendue masters, act to regulate, **24**. 559-60.
bill for, **7**. 308, 310, 311, 317, 325, 327, 375, 380, 381, 382, 391, 405; to appoint, **19**. 351.
Vendues, act for tax on, **24**. 559-60; **25**. 58.
Venelson, Earl, in militia, **17**. 1059.
Venice, laws fitted for, **3**. 15.
Venson, Absalom, army pay, **17**. 255.
Venson, David, exempted, **8**. 110.
Venters, Arthur, army pay, **17**. 255.
Venters, Daniel, army pay, **17**. 255.
army rank, **13**. 516; **16**. 1179.
Venters, Moses, army pay, **17**. 255.
Venters, Moses, army pay, **17**. 255.
army rank, **15**. 732; **16**. 1178.
Ventress, Leml., army rank, **16**. 1177.

Venus, **6**. 738; **13**. 305.
Vera Cruz, account of capture and loss of schooner in, **9**. 319-322.
crew leaves for N. C., **9**. 314.
deposition on capture of John and Elizabeth at, **9**. 353-4, 360.
N. C. vessel detained at, **9**. 69.
privateers from, **1**. 348.
ship sent to, **9**. 277.
Simpson's vessel seized at, **9**. 1159.
vessel confiscated in, **9**. 171, 179, 180, 182.
treatment of prisoners at misrepresented, **9**. 350.
Verango, **5**. 465.
Verbeck, John Renatus, visits N. C., **5**. 1158.
Verdicts, untrue, Eng. act on in force in N. C., **23**. 322.
Verdie, Aaron, loyalist, **10**. 597.
Verdier, Batista, prisoner, **16**. 673.
Vergennes, Count de, **16**. 761, 764, 766, 767, 895; **17**. 177, 179, 180; **20**. 678.
and French tobacco monopoly, **18**. 627, 628, 632, 633, 722.
and treaty of peace, **16**. 748.
intercedes for Asgel, **16**. 457.
Vergin, Wm., petitions for Windsor as C. H., **9**. 804-806.
Vermillion, Saml., pensioner, **22**. 89.
Vermin, act to destroy, **23**. 71, 111, 127, 288-9, 339, 419, 481, 500-1, 592, 617-18, 784-5, 862, 914-15, 971; **24**. 133-4, 749-50, 826, 912-13, 958; **25**. 161, 174, 238, 312, 476, 510-11, 516-17; acts on ment'd, **3**. 187, 192, 193.
bill to destroy, **3**. 578; **4**. 135, 140, 141, 142, 232, 236, 240, 363, 364, 366, 367, 371, 380, 390, 392, 394, 396, 398, 399, 408, 901, 902, 905, 916; **6**. 866, 872, 875, 876, 883, 891, 931, 936, 941, 947, 948, 953, 963, 1103, 1111, 1114, 1115, 1119, 1144, 1171, 1174, 1182, 1186, 1187, 1190, 1191, 1192; **8**. 93, 97, 101, 102, 104, 117, 119, 121, 126, 132, 139, 153; **9**. 112, 114, 118, 134, 160, 161, 162, 167, 168, 183, 221, 255, 389, 393, 397, 400, 443, 474, 477, 481, 483, 498, 504, 583, 658, 844, 846, 851, 861, 899, 900, 905, 908, 909, 910, 927-928, 1013; **12**. 40, 41, 48, 179, 201, 212, 213, 256, 354, 375, 385, 388, 391, 400, 452; **13**. 356; **17**. 344, 384, 398, 401, 404, 419; **18**. 46, 106, 108, 143-144, 158, 205, 285, 286, 316, 339, 342, 363, 368, 379, 380, 393, 416, 538, 551, 556, 558, 563; to repeal act to destroy, **5**. 258, 263, 272, 273, 275, 276, 279, 282, 283, 294, 296, 301, 305, 310, 877, 878, 880, 881, 889, 901, 904, 907, 910, 911, 912, 924.
damage by, **11**. 812-813.
law needed for killing of, **4**. 228.
Vermont, **11**. 460.
as example for Franklin, **22**. 646.
case of before C. C., **17**. 136-138.
encouraged by Eastern States, **17**. 66.
not example for Franklin, **17**. 444.
not yet in Union, **22**. 800.
organization of discussed, **17**. 89.
quarrels with N. Y., **17**. 174.
troublesome, **16**. 479.
wants western people to revolt, **16**. 460.
Vernam, John, land grant to, **4**. 704.
Vernan, John, land grant asked, **4**. 440; grant to, **4**. 343, 1046.
Verney, Mr., **4**. 208.
Vernham, John, engages in Culpepper Rebellion, **1**. 259, 260.
in assem., **1**. 273.
Vernon, Mr., letter of, **1**. 477.
Vernon, Mr., letter from, **3**. 64.
Vernon, Admiral, and Carthagena expedition, **15**. 752.
N. C. troops in fleet of, **4**. x.
Vernon, Capt., **15**. 590.
to deliver salt, **14**. 459.
Vernon, Amos, regulator, **7**. 735.
Vernon, Ann, land grant to, **4**. 52.
Vernon, Ephraim, **3**. 425.
a J. P., **3**. 425; **4**. 4, 46.
land grant to, **4**. 52, 55, 649, 684, 759, 765, 1248.
Vernon, F., sec'y of Privy Council and signs its orders, **11**. 144.
Vernon, James, letter on pirates, **1**. 515.
signs instructions on trade and navigation laws, **1**. 504.
to Proprietors on frauds in customs, **1**. 492.
Vernon, James, clerk to King in council, **4**. 251.
signs minutes of council on Burrington's instructions, **3**. 118; order for seal, **3**. 76, 79-80, 120; orders in council, **4**. 422, 435; proceedings of Board of Trade, **4**. 23.
Vernon, John, land grant to, **4**. 1241.

Vernon, N., to Gates asking for parole, **14**. 596.
Vernon, Robert, money to, **16**. 657.
Vernon, Thomas, army pay, **17**. 255.
Vernor, Ephraim, land grant to, **4**. 684.
Verplanck's Point, **14**. 329, 330, 331.
British evacuate, **14**. 213.
Verrel, John, attorney, **22**. 364.
Verrier, ——, adjutant, **12**. 504, 508, 511, 512, 514, 516, 519, 522, 524, 527, 529, 531, 533.
Verrier, Lieut., in N. C. battalion, **13**. 343.
Verrier, Jas., army rank, **16**. 1177.
army record, **13**. 481.
ensign, **13**. 526.
Verrier, Jas., army rank, **16**. 1179.
Versailles, court of, **6**. 592; **15**. 339; **17**. 5, 43, 71, 433; **18**. 610, 633; **19**. 505, 750.
drawn on for money, **14**. 564.
Vess, Mary, claim, **9**. 489.
Vessels, act against masters entertaining slaves, **24**. 890-1, 896; on duty of masters, **24**. 553-6, 958-60; **25**. 6-7, 72-3; on entering, **23**. 44-45, 333; **25**. 160; to encourage native owners, **1**. 219; to encourage owners, **25**. 137; to lay tonnage duty, **23**. 45-46, 401-2; to prevent their leaving port, **24**. 323, 324, 329-30, 341-2.
bill for examination as to health, &c., **4**. 1263, 1264, 1268, 1269, 1273, 1287, 1288, 1291, 1293, 1295, 1300, 1323, 1325, 1326, 1329, 1337, 1338, 1340, 1342, 1345, 1348.
council consulted on act on, **6**. 1070-1071.
fees on domestic and foreign considered, **5**. 549.
notes on act for entering, **3**. 184.
report on entries in Cape Fear, **22**. 312.
to be under admiralty jurisdiction when captured, **24**. 119-123.
Vessey, Beatrice de, marries John Burke, **15**. 677.
Vessey, Pvo de, **15**. 677.
Vestal, David, asks pay for supplies against regulators, **9**. 354-355.
Vestal, Thomas, asks pay for supplies against regulators, **9**. 354-355.
Vestal, Wm., asks pay for supplies against regulators, **9**. 354-355.
Vestal, Wm., resigns as J. P., **21**. 94, 103.
Vestall, Wm., in conv. 1788, **22**. 2, 4, 25, 28, 30, 31, 35.
in conv. 1789, **22**. 37.
Vestol, Will., town coms'r, **24**. 775.
Vestry, act of 1701 ment'd, **1**. 572; act on, **2**. 207-213; **6**. 227; **23**. 6-10, 503, 601-7, 759-60, 956; **25**. 160; causes trouble, **9**. 341; considered, **1**. xxv-xxvii; **6**. 68, 70, 81, 242-3; disallowed, **6**. 15-16, 242-3, 327-8; disallowance recommended and authorized, **6**. 720-723; encourage dissenters, **6**. 995; Lamb's report on, **6**. 748-749; needed, **6**. 839; petition for repeal of, **10**. 1015-1017; Reed on need of, **9**. 341; referred to Bp. of London, **6**. 728, 751; repealed, **6**. 5, 116, 134, 237, 751, 900*a*; summarized, **1**. 876; sent to Bishop of London, **6**. 627-628; should be reënacted, **6**. 1091, 1154*a*; to appoint, **23**. 97, 119-20, 150, 187-91, 337, 369-70, 400, 510, 534, 542, 657, 749, 804-5, 853, 856-7; **25**. 166-8, 209, 210, 298-304, 364-5, 372, 396-7, 424-30, 450-1, 459-60; to call to account for moneys, **23**. 111, 334; **25**. 210; to confirm, **23**. 484; **25**. 364-5; to regulate, **3**. 176; **23**. 116; and Presbyterians, **9**. 363.
bill for, **6**. 745; choosing, **5**. 504, 507, 511, 528, 533, 535, 536, 537, 538, 1024, 1036, 1041, 1062, 1063, 1066-1067, 1080, 1082, 1095, 1097; on, **6**. 1096, 1100, 1102, 1105, 1107, 1109, 1110, 1111, 1144, 1154*b*, 1158, 1159, 1166, 1171, 1176, 1179-1180, 1183, 1184, 1185, 1215; regulating needed, **5**. 1014, 1041; to confirm and elect, **6**. 1232-1233, 1238, 1240, 1252, 1263, 1269, 1284, 1287, 1293, 1295, 1297, 1298; **7**. 93; to continue act on, **7**. 898, 899, 903, 908, 920, 939-940, 941, 942, 945, 960, 977; **9**. 719, 725, 729, 764, 765, 774, 775, 783, 785, 841, 847, 852, 861, 889, 895, 900, 905, 908, 914, 928, 1010-1012, 1015; to elect, **6**. 455, 458, 463-464, 468, 489, 494, 496, 504, 505, 511, 641, 646, 649, 650, 659, 664, 671, 680-681, 684-685; **9**. 111, 114, 116, 120, 122, 123, 135, 158, 159, 164, 169, 173, 176, 184, 185, 187, 193, 194, 196, 222, 253, 254;

to establish, **4**. 474, 499, 539, 540, 546; **5**. 1006, 1007, 1009, 1010, 1011; **6**. 123, 127, 130, 131, 144-145, 147, 148-149, 158, 169, 174, 175, 177, 178, 183, 184, 185, 187, 189, 190, 200, 351, 352, 356, 358, 361, 368, 375, 377, 379, 384, 385, 391, 395, 419, 845, 847, 850, 865, 875, 880, 884, 891, 892, 901, 908, 914, 937, 946, 951, 954, 956, 963.
Bishop of London on act for, **6**. 10-13, 714-716; **9**. 82.
captured by dissenters, **9**. 622.
character of bill on, **6**. 223.
choice and duties of in S. C., **2**. 875-876, 879-882.
civil duties of, **2**. 11, 121, 151; **23**. 65; **25**. 199, 207, 300, 301, 302, 303.
commends Adams, **1**. 728-729, 730; Gordon, **1**. 685-686.
composition, **2**. 131.
condition, **6**. 57.
declaration required of, **9**. 83.
Dobbs on bill for, **6**. 971-972, 1036, 1040; to assembly on, **6**. 804.
drunk and quarrel, **1**. 769.
duties, **2**. 210-212.
evade clergy law, **5**. 870.
have power to dismiss minister, **2**. 271.
illegal election of, **5**. 528.
information from asked, **7**. 251-252.
instructions on, **5**. 1136.
laws on repealed in Eng., **7**. 7-8.
list of vestrymen, **2**. 208-209.
made up of dissenters in Rowan Co., **8**. 503.
Moir on act, **6**. 1042.
no law for, **6**. 977, 990.
note on act, **3**. 190; **8**. 4-5.
number, **2**. 126.
oath taken by, **2**. 210; **25**. 300.
of Bath Co. to S. P. G. on need of missionaries, **2**. 273-274.
of St. Pauls to S. P. G. on church affairs, **2**. 118-120.
powers, **2**. 220, 223; **4**. 606; **5**. 107; **6**. 1027; **23**. 583-5; claimed by, **6**. 553; **7**. 150, 151, 152; **8**. 13, 14; devolve on overseers of the poor, **24**. 93; discussed, **8**. xliii; noticed, **5**. 332; reserved to in church act, **2**. 127.
prepare account of parish, **2**. 131.
provide for collecting taxes, **1**. 559.
provision for, **23**. 497-8.
put in charge of weights and measures, **23**. 53.
reasons for their control over clergy, **6**. 709.
reënactment of law on recommended, **6**. 347.
refuse to pay missionaries, **1**. 887; to qualify, **8**. 202; in Rowan, **8**. 219.
registers of births, marriages and deaths to be kept, **2**. 877-878.
regulations for voters for, **6**. 1255; on, **10**. 553-4.
right of presentation in, **25**. 431.
should have powers of presentation, **5**. 299.
Stewart on powers of, **7**. 494-495.
summary of laws on, **6**. xxx-xxxiii.
taxes levied by revoked, **23**. 928.
to choose church wardens, **2**. 211.
to include minister, **3**. 110.
to levy taxes, **2**. 212.
treatment of Urmston, **2**. 127.
troubles with in Rowan, **8**. 202-210.
See also County Courts, Church of England, Established Church, etc.
Vestry Book of St. Paul's, extracts from, **1**. 543-545, 558-561, 568-570, 571, 596-598, 599-600, 615-617, 629-630, 674, 678-681, 683-685, 701-702, 829-831, 833-834; **2**. 10-12, 118-121, 150-161.
Vesuvius Furnace, **19**. 968, 974, 989, 992.
Veto power, in hands of governor, **3**. xiii, 69; **6**. 527.
Vexatious suits, act to prevent, **24**. 491.
Vial. See Vail, Vaile, Veal.
Vial (Vail?), Edward, army pay, **17**. 255.
Viars, Wm., pensioner, **22**. 89.
Vicar of Wakefield, **17**. 125.
Vicars, Thos., receives pay for soldiers, **17**. 246.
Vicas, Thos., army rank, **16**. 1179.
Vice Admiral of North Carolina, Burrington, **3**. 212.
Vice Admiralty, courts increased to collect fines under trade acts and plan of districts for same, **11**. 216-219.
Vice Admiralty powers, not recognized by charter colonies, **1**. 632.
Vice and immorality, act to suppress, **23**. 173-175, 336.
bill to suppress, **4**. 474, 496, 499, 510; **9**. 384, 388, 462, 464, 472, 839, 886, 895, 905; **13**. 563, 568, 665, 669, 711; **17**. 319, 356; **19**. 163, 168,

282, 286, 523, 525, 529, 535, 538, 548; **20**. 30-31.
laws against to be enforced, **3**. 111-112; **5**. 1137-1138.
laws for suppression, **3**. 180.
to be suppressed, **22**. 664.
Vice Chamberlain, The, 6. 1015.
at council, **2**. 680, 732.
on Bd. T. and F. P., **1**. 223.
Vice Chamberlains of Chamberlain's Court, under F. C., **25**. 128.
Vichous, Benj., captured, **15**. 467.
Vick, Isaac, petitions on roads and ferries, **5**. 164-166.
Vick, Isaiah, in army, **13**. 512; **16**. 1177.
Vick, Jacob, army rank, **16**. 1179.
Vick, Jesse, army rank, **16**. 1179.
pensioner, **22**. 89.
Vick, Jos., army rank, **16**. 1179.
Vick, Wilson, in assem., **21**. 2, 3, 47, 52, 66, 68, 74, 77, 110, 115, 125, 190, 194, 196, 234, 247, 433.
in conv. 1789, **22**. 38, 47, 48.
Vickany, Wm., in militia, **22**. 166.
Vickany, Wm., Jr., in militia, **22**. 166.
Vickers, John, certificate to, **18**. 264; **19**. 528, 529.
petitions for new certificate, **18**. 19, 34.
Vickers, Ralph, deserter, **16**. 518.
Vickers, Thomas, receives pay for soldiers, **17**. 191.
Vickery, Luke, army rank, **16**. 1179.
Vickery, Marma., army rank, **16**. 1179.
Vickes, Elijah, pensioner, **22**. 89.
Vickory, Henry, army rank, **16**. 1178.
Vickory, Hezekiah, army pay, **17**. 255.
Vickory, John, agrees to restitution of fees in Rowan, **8**. 521-522, 534.
Vickry, Jno., army rank, **16**. 1179.
Vicks, Joseph, army pay, **17**. 255.
Vicky, Wm., takes oath, **22**. 175.
Vicory, Ezekiel, army pay, **17**. 255.
Vidale (Vidall), John, appears in court, **2**. 435.
arrested for robbing, &c., **2**. 676-677.
Vienna Congress, representatives to, **22**. 553-4, 1030.
Vigers, Richard, witness, **6**. 22, 32, 312.
Viggers, Richard, land grant to, **23**. 810.
Vigilant, 14. 323.
arrives in S. C., **14**. 112.
convoys troops, **13**. 286, 326, 333.
stationed at Port Royal Island, **14**. 340.
Vigle, Lodowick, in militia, **22**. 421.
Vilicon Creek, inspection at, **25**. 313, 379.
Villebrune, Mr. De La, 16. 298.
Villegagnon, betrays Coligny, **2**. 763, 764.
Villiers, Viscount, at Privy Council, **11**. 213-215.
Villiers (parole), **22**. 875.
Vince, Humphrey, grand juror, **2**. 98.
quit rents of, **22**. 247.
Vince, Thos., caveat against, **5**. 993.
land grant to, **4**. 651, 768.
petitions on roads and ferries, **5**. 164-166.
Vincen, Davd., army rank, **16**. 1179.
Vincennes, 20. 741, 746.
Vincent, Alex., in militia, **22**. 162.
Vincent, Alex., takes oath, **22**. 173.
Vincent, Ambrose, 2. 765.
Vincent, Benj., army rank, **16**. 1179.
Vincent, David, case dismissed, **2**. 602.
scire facias issued for, **2**. 586, 595.
Vincent, Geo., boundary coms'r, **24**. 974.
building coms'r, **24**. 968.
Vincent, George, petition on separation, **22**. 705-12.
Vincent, Henry, recommended for promotion, **11**. 716.
Vincent, John, juror, **4**. 522.
Vincent, Nicholas, surety, **2**. 480, 481.
Vincent, Peter, in militia, **22**. 162.
Vincent, Peter, takes oath, **22**. 173.
Vincent, Thomas, juror, **4**. 522.
Vincent, Thomas, petition on separation, **22**. 705-12.
Vincent, Wm., army pay, **17**. 255.
Vincent, Wm., juror, **4**. 521.
Vincents, Henry, rank settled, **15**. 700.
Viner, Ann, makes indenture, **1**. 488.
Viner, Elizabeth, makes indenture, **1**. 488.
Vines, Mr., pay to, **22**. 500.
Vines, Benj., land grant to, **4**. 1250.
Vines, Jno., army rank, **16**. 1179.
Vines, Jno., army rank, **16**. 1179.
Vines, Saml., army rank, **16**. 1179.
Vines, Samuel, land grant to, **4**. 761.
Vines, Samuel, rights proved, **4**. 765.
Vines, Wm., petitions on land grants, **9**. 1260-1262; **11**. 250-253.
Vines, encouraged by Proprietors, **1**. 51.
Vineyard, John, 17. 168.
Vining, Miss, 14. 347, 804; **15**. 342, 367.

Vining (Viney), Mrs., **14**. 804; **15**. 342, 367.
Burke to on his departure from Phila. (poetry), **15**. 744.
Vining, John, in C. C., **17**. 556, 557.
Vining (Vincing), Kedar, army pay, **17**. 255.
army rank, **16**. 1179.
Vinson, Benjamin, army pay, **17**. 255.
Vinson, Drury, in militia, **22**. 332.
Vinson (Vincent), James, claim, **20**. 200, 374, 382.
in conv. 1788, **22**. 3, 6, 26, 28, 30, 32.
Vinson, Moses, army pay, **17**. 255.
Vinson, Patrick, army pay, **17**. 255.
Vinson, Peter, in militia, **22**. 371.
Vinson, Wm., in militia, **22**. 377.
Vinson, Wm., in militia, **22**. 379.
Vinson, Wm., juror, **25**. 189.
Vinzant, Barnabas, pensioner, **22**. 89.
Viper, cruiser, **6**. 1028, 1058; **8**. 30.
and Stamp Act proceedings, **7**. 165, 169, 170, 171, 173, 174, 176, 179, 180, 181, 182, 183, 187, 191, 195, 199, 200.
brought to terms, **7**. vii.
cruises off coast, **5**. xliv.
duel between officers, **7**. 5, 9-10, 39-40, 94, 147, 159, 197, 290.
provisions refused to, **7**. 184-186, 189.
stopped in proceedings against Stamp Act, **8**. x, xii.
seizes vessels, **7**. vii.
surrenders sloops, **7**. viii-ix.
Viper, vessel, **13**. 355.
Vipon, Henry, **10**. 287.
buys at Martin sale, **22**. 880, 882, 885, 888.
coms'r on navigation, **24**. 403.
ensign, **10**. 188.
has lead, **15**. 572.
to join Caswell, **10**. 445.
to superintend fortifications, **10**. 416.
Vipor, Henry, **20**. 432.
Virgil (P. Virgilius Maro), quoted, **1**. 859; **10**. 1038.
Virginia, **1**. xx, xxix, 972, 979; **2**. xiii, 17, 20, 21, 35, 54, 55, 61, 86, 94, 104, 119, 120, 122, 128, 130, 137, 138, 142, 145, 146, 149, 185, 190, 193, 220, 225, 241, 245, 249, 264, 273, 275, 293, 309, 310, 318, 319, 320, 322, 327, 330, 341, 345, 347, 372, 374, 392, 397, 448, 466, 538, 565, 604, 643, 677, 729, 769, 771, 816, 893, 901; **3**. 8, 13, 17, 27, 28, 70, 123, 153, 182, 184, 192, 195, 198, 200, 203, 206, 220, 225, 235, 265, 267, 271, 273, 280, 281, 304, 308, 311, 322, 332, 337, 339, 342, 343, 344, 354, 355, 385, 395, 431, 434, 474, 509, 574, 599, 624, 629; **4**. x, xiii, 7, 20, 21, 93, 132, 157, 158, 159, 161, 165, 166, 169, 170, 171, 175, 204, 239, 242, 246, 264, 266, 267, 417, 421, 423, 469, 587, 617, 643, 660, 671, 695, 721, 752, 793, 869, 874, 876, 878, 892, 1074, 1086, 1106, 1113, 1150, 1151, 1165, 1210, 1302, 1304, 1306, 1309; **5**. v, ix, x, xi, xii, xiv, xv, xviii, xx, xxii, xxvi, xxvii, xxviii, xxx, xxxi, xxxvi, xlvii, l, lii, liii, lv, 1, 2, 3, 10, 11, 13, 25, 48, 69, 88, 94, 101, 137, 144*a*, 144*b*, 144*c*, 144*g*, 144*h*, 146, 149, 154, 157, 175, 178, 179, 194, 251, 252, 315, 326, 328, 331, 343, 346, 347, 357, 359, 360, 381, 383, 387, 389, 393, 516, 555, 556, 560, 581, 582, 584, 586, 587, 601, 612, 613, 614, 638, 639, 641, 650, 683, 684, 722, 731, 732, 739, 763, 767, 783, 784, 808, 835, 841, 934, 941, 949, 950, 952, 954, 955, 1038, 1089, 1090, 1093, 1101, 1159, 1161, 1164, 1165, 1166, 1168, 1189, 1199, 1201, 1222, 1226; **6**. 22, 23, 64, 210, 211, 213, 236, 242, 253, 256, 259, 280, 282, 285, 286, 290, 315, 317, 326, 337, 404, 407, 425, 426, 435, 436, 438, 563, 573, 606, 607, 608, 609, 610, 613, 617, 624, 777, 784, 785, 813, 979, 989, 1027, 1058, 1061, 1167, 1242, 1299, 1300, 1302; **7**. 10, 39, 55, 76, 78, 79, 100, 108, 116, 126, 149, 160, 161, 199, 207, 208, 210, 211, 214, 216, 217, 218, 219, 233, 236, 257, 265, 267, 279, 286, 404, 412, 413, 432, 436, 440, 458, 459, 465, 470, 496, 520, 697, 698, 758, 775, 785, 853, 856, 880; **8**. xviii, xxix, xliv, 12, 48, 53, 60, 73, 84, 114, 130, 168, 175, 189, 204, 211, 228, 277, 406, 431, 548, 562, 587, 628, 654, 734, 735, 781, 792, 793; **9**. xxxix, xlv, 14, 21, 33, 34, 35, 89, 132, 209, 215, 229, 349, 581, 612, 621, 669, 809, 820, 828, 873, 949, 966, 974, 988, 998, 999, 1002, 1003, 1011, 1064, 1065, 1069, 1082, 1092, 1095, 1097, 1105, 1109, 1124, 1147, 1148, 1167, 1174, 1175, 1243, 1246, 1248, 1249, 1252, 1256; **10**. xxxix, 41, 66, 118, 138*a*,

140, 273, 321, 322, 323, 329, 378, 447, 469, 526, 527, 537, 545, 552, 565, 566, 569, 601, 606, 618, 618*a*, 631, 656, 736, 763, 766, 768, 782, 783, 823, 885, 911, 932, 938, 971, 1001, 1005, 1034; **11**. viii, 42, 43, 44, 80, 95, 161, 186, 188, 190, 191, 291, 292, 295, 297, 337, 338, 340, 360, 373, 382, 384, 386, 389, 390, 391, 398, 407, 431, 432, 448, 458, 461, 474, 477, 485, 542, 552, 566, 578, 583, 584, 585, 590, 600, 607, 609, 617, 648, 676, 752, 753, 782, 783, 799, 802, 821, 835; **12**. iv, 27, 106, 112, 133, 180, 248, 255, 295, 420, 428, 458, 460, 465, 466, 472, 477, 481, 484, 485, 489, 490, 498, 507, 518, 526, 529, 530, 544, 548. 556, 559, 560, 584, 662, 663, 687, 766, 767, 779, 821, 822, 824, 839; **13**. ix, 2, 15, 16, 25, 35, 39, 40, 44, 46, 48, 49, 57, 90, 97, 110, 115, 122, 128, 149, 156, 168, 175, 177, 191, 223, 228, 260, 279, 287, 296, 306, 309, 326, 333, 357, 372, 385, 414, 416, 449, 460, 465, 471, 492, 500, 544, 549, 620, 623, 648, 671, 674, 680, 734*e*, 816, 853, 864, 868, 951, 959, 961, 965; **14**. xii, 2, 4, 8, 31, 36, 56, 74, 123, 129, 157, 220, 235, 246, 266, 299, 303, 377, 378, 394, 398, 416, 419, 429, 448, 456, 463, 478, 479, 500, 503, 504, 508, 512, 520, 521, 523, 524, 526, 528. 530, 551, 571, 572, 576, 583, 592. 593, 595, 604, 609, 618, 619, 622. 628, 630, 634, 636, 637, 648, 650. 655, 663, 664, 667, 676, 719, 728. 729, 730, 737, 738, 739, 748, 752, 767, 820, 821, 822, 823, 849, 864, 865, 870; **15**. ix, x, xii, xiv, 7, 66, 91, 115, 122, 127, 132, 134, 152, 173, 185, 186, 202, 220, 243, 245. 274, 325, 350, 351, 365, 366, 374, 382, 383, 387, 388, 396, 417, 438, 448, 455, 460, 464, 469, 481, 505, 516, 545, 552, 572, 597, 600, 616, 618, 622, 629, 639, 643, 657, 661, 665, 685, 752; **16**. 5, 11, 44, 58, 59, 115, 151, 164, 243, 258, 260, 263, 288, 290, 299, 305, 349, 355, 416, 419, 420, 441, 457, 461, 475, 479, 491, 504, 529, 540, 553, 556, 573, 579, 614, 627, 651, 652, 675, 679, 692, 775, 799, 810, 835, 840, 841, 911, 921, 925, 955, 959, 998, 1036, 1101, 1137; **17**. vii, viii, ix, x, 29, 35, 69, 83, 85, 93, 97, 163, 182, 184, 272, 415, 427, 430, 460, 466, 469, 474, 489, 515, 578, 595, 606, 632, 666, 691, 696, 697, 709, 719, 771, 773, 830, 929, 930, 981, 991, 996, 999, 1000, 1001, 1048; **18**. 33, 36, 47, 54, 79, 94, 190, 263, 303, 402, 407, 438, 467, 481, 511, 535, 605, 610, 621, 623, 625, 652, 663, 787, 805, 810; **19**. vi, 24, 31, 33, 43, 116, 124, 187, 192, 221, 224, 242, 305, 309, 314, 326, 356, 359, 410, 481, 495, 590, 612, 621, 631, 665, 672, 684, 708, 709, 710, 712, 784, 787, 866, 867, 869, 872, 874, 875, 881, 909, 910, 914, 939, 956, 980, 996; **20**. 70, 95, 108, 111, 208, 268, 395, 485, 488, 497, 523, 528, 535, 536, 550, 600, 605, 617, 677, 680, 690, 694, 710, 712, 735, 738, 741, 745, 762, 763, 775, 792; **21**. 11, 16, 17, 32, 38, 68, 69, 73, 86, 93, 99, 108, 109, 202, 260, 269, 270, 288, 310, 330, 331, 332, 350, 351, 353, 439, 440, 441, 445, 466, 475, 481, 497, 514, 538, 586, 614, 636, 668, 681, 755, 766, 781, 850, 851, 852, 856, 858, 884, 901, 905, 908, 923, 930, 1019, 1026, 1033, 1034, 1038, 1041, 1082; **22**. 33, 34, 97, 98, 99, 100, 104, 112, 114, 121, 122, 128, 130, 131, 135, 138, 139, 141, 145, 147, 148, 152, 154, 185, 191, 194, 225, 229, 232, 236, 312, 364, 393, 432, 518, 521, 522, 534, 536, 556, 572, 573, 587, 589, 732, 734, 735, 743, 762, 764, 780, 800, 815, 834, 846, 858, 865, 866, 904, 941, 965, 969, 978, 981, 982, 983, 994; **23**. 31, 32, 60, 95, 100, 113, 161, 219, 336, 383, 390, 391, 497, 503, 547, 754, 824, 844, 906, 978; **24**. 24, 26, 27, 136, 141, 143, 156, 160, 228, 230, 263, 333, 338, 424, 483, 528, 540, 562, 566, 600, 647, 662, 826, 830, 866, 878, 938, 972, 986; **25**. 4, 14, 83, 84, 85, 86, 91, 357, 399; **26**. 558, 559, 967, 1171, 1267, 1285.

abuse of N. C., **1**. xxiii.

abuses in church, **1**. 234; of traders from, regulated, **3**. 186.

Acadians (?) imported from Nova Scotia, **5**. 446, 562; sent to England, **5**. 585.

act against collection of foreign debts, **2**. 835-836; against counterfeiting money of repealed, **7**. 673; for aid

to ment'd, **5**. 276, 304, 311, 312; **22**. 362; to confirm land grants by, **24**. 446-7; to send aid to, **23**. 392-8; **25**. 309, 333, 352, 393; to suppress counterfeiting bills of, **23**. 616-7; to restrain trade, **10**. 109-112, 113; and resolves of laid before assembly, **13**. 401.
action of applauded on Boston trouble, **11**. 246; of assem. on letter from, **8**. 9, 16; on counterfeiting commended, **9**. 709; on Transylvania, **13**. 490-491, 493-494.
address from refused, **8**. 44; to Gov. of ment'd, **2**. 3.
admiralty court affairs, **1**. 490.
advantages over Md., **1**. 99.
agents to, **1**. 874.
agreement in matter of D. S. Canal, **25**. 91-3.
aid from, **10**. 455; **17**. 786, 787, 788; against Cary Rebellion, **1**. 778, 780-783, 795-796, 798, 800, 801; against Cherokees, **5**. 1; at Ocracock, **12**. 574-575, 678; **17**. 837-838, 841, 932; expected, **14**. 398, 399, 404, 434, 458, 467; for S. C., **5**. 765, 766; **6**. 61; **11**. xiii; **13**. 266, 267, 277; **14**. 23, 32, 60, 61, 67, 79, 83, 99, 162, 220, 230-231, 254, 260, 298, 312, 333, 344, 352, 359; **22**. 982, 984; in French War, **5**. 430, 434, 647; **6**. 813; in King's Mtn. battle, **15**. 100, 102, 104, 106; in Tuscarora war, **1**. 837-838, 839, 888-889, 893, 953; **2**. 4-8, 14, 17, 19, 22-23, 25, 28, 30, 31, 32, 36, 57, 73, 78-79; in Yemassee war, **2**. 202-203, 225, 229, 234.
aid to, **5**. 155, 215, 218, 235, 280, 281, 312, 313, 333, 576, 736, 737, 1001; **6**. 44; **9**. 570; **10**. 455; **14**. 436; against Cherokees, **6**. 257; asked of N. C., **11**. 580, 584, 585, 588, 594, 604, 614, 615, 635, 636; by Ga., **11**. 686; by Howe, **22**. 729, 730; by N. C.. **5**. 144*h*, 414, 563, 682, 687, 711, 717, 739-740; **6**. xi, 476; **15**. 138; by N. C. in Fr. and I. war, **9**. xliii; considered, **10**. 906-907, 912; **14**. 87; from Parliament, **5**. 925; granted, **5**. 656; in French war, **5**. xxiii, 176, 378, 390-391, 394-395, 428; **6**. 666.
allowance for Indians on way to, **5**. 985; to judges, **5**. 788; to loan office, **20**. 652.
allowed to buy pork in N. C., **15**. 417-418.
amount rec'd from parliamentary grant, **6**. 477.
animosity to S. C. subsides, **5**. 636.
and Albany Union, **5**. xx.
and Cherokee boundary, **15**. 704.
and Continental money, **16**. 447.
and Dismal Swamp Canal, **18**. viii, 26, 36, 41, 45-46, 56-57, 62, 63, 94, 234, 266, 271-272, 284, 294, 296, 299, 332, 350-351, 571, 573.
and French war, **5**. 562, 568, 577-578, 584-585.
and Indian boundary, **7**. 537.
and Indian trade, **6**. 5; **7**. 270.
and King's Mtn. campaign, **15**. 133, 134, 135, 136, 142, 163.
and regulation of trade, **18**. 535, 536.
and U. S. duties, **18**. 499, 501, 502, 528, 529, 533, 557, 580, 581, 584, 585, 587, 650, 654, 655, 661, 681, 682, 683, 692, 737-740.
and W. I. trade, **16**. 730.
anti-tobacco law discussed by Everard, **2**. 762-763; petition of Albemarle against, **3**. 196, 210-211; repealed, **3**. 398.
appoints German and French interpreter, **13**. 335; superintendent among Cherokees, **11**. 608.
appropriates land for soldiers, **15**. 198.
armed troops in, **9**. 1248, 1249.
arms asked from, **15**. 449; brought to, **11**. 454; sent from, **15**. 590; **16**. 272; to be borrowed from, **15**. 433; to be given troops, **5**. 134; to be secured from, **13**. 734*h*, 758, 814, 816.
arms Sawras, **2**. 252.
army movements in, **22**. 586-8.
Arnold and Phillip's campaign in, **16**. vi; **17**. 983-988, 990, 991, 992-993, 994, 1016, 1019, 1020, 1023, 1024, 1036-1037.
aroused, **15**. 113.
arrogance of officials of, **2**. viii.
asked to furnish quota of supplies, **14**. 610.
asks aid against French, **5**. 109; of C. C. for South, **14**. 497; N. C. to furnish her troops, **18**. 810; that Howe be made brig. gen., **11**. x.
assembly, grant to R. Green, **1**. 17; grants authority to explore C., **1**. 17; on amount of tobacco, **1**. 311-

312; on French invasion, **5**. 247-248; refuses aid in French war, **5**. 138-139; Spotswood to on Tuscarora war, **2**. 78-79; to N. C. on Stamp Act, **7**. 746-749.
Atkins Indian agent for, **5**. 912-913.
attachments in, **9**. 964.
attempt to emit paper money in, **5**. 444; to regulate labor, **13**. 401; to seduce, **13**. 244-245.
att'y gen. of, **1**. 512, 513.
authority of to try N. C. pirates, **2**. 319-320.
bad tobacco shipped into N. C., **4**. 170.
balance of trade in favor of N. C., **5**. 333.
Baptists in, **5**. 1166, 1167, 1169, 1170, 1172, 1175, 1176, 1177, 1178, 1183, 1187, 1188, 1189.
battles of N. C. to be fought in, **10**. 905.
begins to depend on regular troops, **11**. 264.
behavior of militia, **15**. 66.
big bounties offered by, **13**. 52-53.
bill against counterfeiting money of, **6**. 1191; for canal, **20**. 165, 174, 341; for duty on exports to, **5**. 1047; to confirm grants in N. C. by, **16**. 76, 79, 83, 93-94, 173-174, 176; to confirm patents of, **19**. 45, 46, 50, 53; to encourage enlistments for aid to, **5**. 188, 189, 193, 195, 207; to levy tax to send aid to repealed, **9**. 744-745; to prevent exports to, **5**. 704; to punish counterfeiters of money of, **7**. 300, 301, 355, 360, 362; to quiet land titles on boundary, **17**. 650-651, 654, 661, 665-666, 696, 735, 738, 742, 743, 745-746, 750, 777, 780.
bills do not circulate in, **5**. 313.
bills of exchange law copied, **3**. 188.
bishop to be settled in, **4**. 924.
Board of Trade on bill for aid to, **6**. 22-24.
Board of War offers militia to gov., **14**. 488.
borderers take C. cattle, **1**. 751.
boundaries discussed, **5**. 385; with Indians settled, **6**. 1090.
boundary of Albemarle Co., **1**. 377; of N. C., **4**. 1073.
bounds of charter to, **2**. 382-383.
British act to reimburse for French war, **25**. 362, 378.
British at Hampton and Norfolk, **14**. 717-718, 720, 721; defences against, **14**. 723, 725; grievances against, **18**. 562-563; invade, **10**. 892; **14**. 84, 86, 94-95, 99-100, 102, 103, 104, 105, 113, 240, 308, 442, 448, 453, 458, 467, 472, 478, 487, 488, 728-729, 732-733, 736, 755; **15**. 128, 129-130, 136, 137, 138, 143-4, 145, 149, 151, 156-158, 160, 176, 418, 435, 436, 449, 454-455, 458, 465, 483, 492, 495, 502, 508, 515, 518-519, 522-523, 527, 535, 536-537, 542, 547, 548, 549, 550, 551, 552, 553, 556, 560, 561, 566, 570, 571, 574, 578, 585, 586, 598, 603, 618; **16**. viii; **19**. 909, 910; **22**. 542, 547; leave, **14**. 476; **15**. 664; prisoners sent to, **14**. 415, 416; **17**. 710; reinforcements to be sent to, **15**. 777; reports on dissatisfaction in, **13**. 367; threaten, **14**. 436, 634, 638, 706, 708; **15**. 121; to go to, **10**. 299.
builds fort among Cherokees, **5**. 655-656; Ft. Loudoun, **5**. xxvi; galleries, **11**. 635.
Burke to counties of on movements of Br., **15**. 549.
buys beef and pork alive in N. C., **2**. 761-762.
called also Florida, **1**. 119.
campaign against Cherokees, **10**. xv.
can be held by N. C. tories, **10**. 46.
can furnish no arms to N. C., **15**. 117.
cannon imported for, **13**. 291-292; sent to, **10**. 687.
captures Teach, **2**. 322.
Carolinians to remove to, **1**. 835.
Carteret's lands located next to, **11**. 77.
cash brought in from, **3**. 609.
Caswell to legislature of on exports, &c., **13**. 45.
Catawbas not asked to aid, **5**. 360.
cattle and hogs taken to, **5**. 2; intended for seized, **14**. 454, 460; sent to, **5**. 795-796.
cavalry fed by N. C., **19**. 994, 996, 998.
cedes western lands, **16**. 438, 888, 889, 920; **17**. 25-26, 66, 79, 94, 99, 458; **18**. 715; **21**. 504; western lands, **24**. 679.
certificates to line of, **17**. 527.

cessation of tobacco planting, **1**. 117-118, 139-144, 151-153.
changes plan for galleys, **11**. 442.
character of attorney-general, **1**. 463-464; of recruits from, **15**. 753; of troops sent to S. C., **2**. 253-254.
Cherokees at war with, **10**. 894; cessions to, **8**. 25; murdered in, **7**. 108, 109, 116, 215, 233, 234, 235; talk to, **20**. 779-781; threaten, **10**. 660; to be used on frontiers, **5**. 927; to fall on frontiers, **10**. xiv.
citizens take up land in N. C., **3**. 19.
claims Catawbas, **2**. 252; part of Albemarle, **1**. 306-307; part of Currituck, **1**. 364-365, 459, 460; sole authority for whaling, **2**. 397-398.
Clarendon Co. sends for supplies to, **1**. 120; settlers go to, **1**. 161.
Clinton to command in, **10**. 453.
close union with, **8**. 152.
commissioners to regulate prices, **12**. 662.
committee from N. C. to visit and confer with S. Com. of, **10**. 472; on letter of governor on Cherokees, **13**. 536-537, 539-540, 628, 633, 634-635, 734*n;* to inquire into galleys built by, **12**. 39, 42, 43.
complains that Sappony Indians are killed, **2**. 674.
complaints against Tuscaroras, **3**. 335; of merchants, **1**. 439.
condition of forts, **5**. 635; of militia, **5**. 634-635; of towns and fortifications in eastern part, **14**. 688-690.
conduct approved, **9**. 1016; execrated, **14**. 205; towards N. C., **2**. xiv.
conference with gov. on French war, **5**. 750-752.
conquest of necessary for that of Carolinas, **17**. 1012, 1016.
conspirators flee to, **3**. xi.
Cont. Army depends on Va. and N. C., **13**. 33.
convention in, **21**. 440.
convicts not wanted, **1**. 477-478.
corn scarce in, **5**. 1148.
correspondence with on the Caswell, **12**. 662-663; with S. C. to be carried on, **10**. 289.
council paid, **7**. 989; **9**. 647.
Council of State furnishes lead to N. C., **11**. 329; to governor on Cherokee war, **11**. 355-356.
counterfeiters in, **6**. 1036; to be arrested in, **10**. 680-681.
county ct. act confirmed, **6**. 338.
county representation, **3**. 207.
course of rivers, **6**. 785.
courts imitated in N. C., **9**. 793.
Culpepper leaves, **1**. 259.
currency of, **4**. 1116; compared with N. C. paper, **3**. 145, 146; used in N. C., **3**. 381, 383, 457, 459, 461, 464.
cut off from trade, **10**. 58.
danger from, **11**. 419-420; to from British, **10**. 906.
Dartmouth on resolutions of House of Burgesses, **9**. 987-988; to Dunmore on affairs in, **10**. 138*a*, 138*b*.
death of ministers in, **2**. 309.
debt owed to by N. C. because of Tuscarora war, **2**. 194-195.
debtor acts of, **1**. xxxiii-xxxiv.
debts paid in beef and pork, **4**. 1218.
defended by Howe, **10**. xi, xii.
DeGraffenried invited to settle in, **1**. 949-950, 952, 957.
delegates from sounded on Transylvania, **10**. 373-375; to revise Fed. Constitution, **18**. 788-789.
demands mortgage for aid given in Tuscarora war, **1**. 840, 842, 953-954; **2**. 7, 15.
denies existence of second charter, **1**. xxiii.
discount allowed on prompt payment of quit rents, **11**. 69.
dislike of towns in, **4**. 424.
dissenters increase in, **9**. 326.
diversified crops needed, **1**. 312.
does not aid against Tuscaroras, **1**. xxx, 886.
does not support N. C. troops, **5**. 123.
draft from, **14**. 698, 700.
drafts North Carolinians, **11**. 657, 663.
drafts on, **14**. 501, 684; not paid, **15**. 4; for supplies, **14**. 624.
dry christening in, **5**. 1172.
Dunmore made gov., **8**. 277.
effects of Braddock's defeat, **5**. 1202, 1203, 1221; of new settlement southward, **2**. 301.
efforts to extend southern boundary, **1**. 365-366, 367, 371, 372, 385-386.
emigrants from, **4**. xx, 1312; **5**. 1204, 1214; **9**. 1106; settle N. C., **1**. 847;

4. 920; to Clarendon, **1**. 155; to Transylvania, **10**. 246.
emigrants from N. C. to be arrested in, **2**. 183, 184-185.
emission for expedition to, **8**. 213, 214.
encroaches on Cherokees, **10**. 764; on Indians, **11**. 197, 198.
erection of precincts, **3**. 575.
exempts N. C. and Md. from debtor act, **1**. xxxiv.
expedition against Cherokees, **6**. 687; **11**. 317, 320, 333, 334, 337, 344, 346, 350, 352, 354, 356, 402, 405, 417, 428-429, 439, 444-445, 448; **15**. 153.
expenses in recruiting for asked, **5**. 255; of delegates to paid, **10**. 476; of N. C. troops in, **5**. 801.
fees in, **3**. 599, 606, 614; on land patents, **6**. 599.
fights the Susquahannahs, **2**. 643.
finances of, **15**. 95.
financial condition good, **9**. 378.
fisheries in seized, **15**. 625.
Fitzwilliams in council, **3**. 62.
form of land grant is followed in N. C., **25**. 216; of tenure in granted to Albemarle, **1**. 175-176.
formerly included N. C., **2**. 395, 419.
franchise in, **1**. 886.
free, **16**. 749; **17**. 5.
free trade in certain products, **1**. 75.
French and Indians in, **5**. 434; and militia in, **22**. 586-7; forts in, **5**. 222, 227; incursions into, **5**. 446; leave for N. C., **1**. 714; massacres in, **5**. 524; ravages in, **5**. 584; recruited for service of, **11**. 508, 509, 516; tobacco trade, **18**. 630, 633; vessels arrive in, **13**. 155.
frontiers to be seized by British, **10**. 607.
fully represented in C. C., **15**. 695.
furnishes arms and am. to N. C., **16**. 551, 553-554, 555, 626, 628, 632, 635, 643; horses to troops, **14**. 511; lead to N. C., **14**. 439; supplies for army, **14**. 574.
galleys built in, **10**. 973, 981.
gets N. C. clergymen, **8**. 45.
gives lands to soldiers, **17**. 457-458.
Gooch on reasons for tobacco law, **2**. 773-775.
goods sent to Wilmington, **11**. 485; used by N. C., **11**. 498; smuggled into through N. C., **3**. xvi-xvii.
governed by Deputy, **2**. 518.
gov't, **1**. 225.
governor grants land in C., **1**. 20; orders arrest of persons without permits, **2**. 183-184; settles admiralty courts, **1**. 491; to allow emigration to C., **1**. 58; to appoint admiralty courts in N. C., **1**. 507, 510.
Grant saved by troops of, **10**. 156.
grant to, **6**. 1263; by Parliament, **5**. 869, 1022, 1035, 1058, 1071, 1087, 1095; **6**. 37, 76, 103; for Fr. war and her share, **6**. ix, x, xi.
grants land in N. C., **1**. ix-x; **3**. 550, 569.
Harper case discussed in Cont. Cong., **13**. 219, 225.
has boats at Hampton, **14**. 689.
has little care for interests of N. C., **11**. 378.
held up as model for N. C., **3**. 448, 456-457.
Hillsborough to gov. on culture of, **8**. 38.
hogs and cattle sent to, **3**. xv; **5**. xlvi.
hostile, **17**. 1022.
Howe thanked for service in, **10**. 475.
hurricane in, **1**. 161.
immigration to, **1**. 248.
imports from, **2**. 156.
in vice admiralty dist. of Phila., **11**. 218.
Indians go to aid of, **5**. 835, 839, 853, 854, 858, 861; outrages in, **5**. 635; threaten, **22**. 755, 1000; trade of, **6**. 969; trade taken from by S. C., **1**. 691; troublesome, **16**. 692; unite against, **11**. 372; war with, **1**. 886.
indigo in, **5**. 738.
infantry idle in, **14**. 511.
influence on N. C. in adopting Fed. Constn., **22**. iii.
inhabitants in 1708, **1**. 692.
insists on being connected with Md. and in regulating prices, **11**. 391-392.
instructions to gov., **11**. 242-243, 244.
insult to N. C. by, **16**. 556, 557.
insurrection of negroes, **1**. 886.
interferes with S. C. Indian trade, **1**. 823.
invaded, **14**. vii; by Arnold, **15**. 308, 309; by British, **14**. 82-83; by Leslie, **15**. iii, xiii, 283, 287, 288, 290, 291, 294, 300-302.

invasion projected, **15**. 110; threatened, **15**. 132.
invites Rainsford, **2**. 54.
irregularities of troops, **15**. 48-49.
joins with N. C. in fitting out privateers, **11**. xx.
Kennon's accounts considered, **13**. 257.
King commissions troops of, **5**. 313.
land grants of to be followed, **1**. 100; tenure expected in N. C. also, **4**. 310; transferred to Albemarle, **4**. 109, 110, 147.
last land grants of in Albemarle, **1**. xxxi.
law against importation of C. tobacco, **1**. xxii, 261-262, 628; **2**. 636, 816; Fitzwilliam on the same, **2**. 683-685.
laws against Quakers put in force, **1**. 812, 814.
laws of followed in Watauga, **10**. 709; sent to N. C., **18**. 248; on Br. trade ment'd, **17**. 20; on exemption borrowed from, **25**. iii; printed in, **17**. 335; sent to N. C., **22**. 991.
lead found in, **5**. 356.
Lee, Lewis and Howe to command in, **10**. 482, 483.
Leslie leaves, **15**. 228.
letter from ment'd, **7**. 928; **8**. 121; considered, **9**. 737, 740-741; on Cherokees, **19**. 897-898; of Br. commissioner sent to, **10**. 769; of govr. submitted to assem., **13**. 745, 771-772, 799, 801-802.
letters to ment'd, **5**. 486; to com. of correspondence of, **11**. 247-248; to Md. assembly on action of burgesses, **9**. 876; to N. C. assembly on counterfeiting, **11**. 241.
liberty spirit in, **9**. 1156.
location, **2**. 351.
losses at Camden, **15**. 167; at Eutaw Springs, **15**. 637, 638; in trade with, **3**. 430.
Loudoun governor, **5**. 563, 636.
low state of church in, **1**. 729.
loyalists flee to, **1**. 261.
Ludwell's appeal for aid to, **1**. 364-365.
Lutheran Conference in, **8**. 773.
Lutherans in, **8**. 777.
makes treaty with Cherokees, **11**. 447, 451, 456, 459, 496, 498, 567; war on Shawnees, **10**. 778.
manner of choosing ministers, **1**. 690.
marriage law of, **1**. xxxiv.
Maryland and North Carolina debts pleadable in, **2**. 836.
Matravers's patent for Norfolk Co., **1**. 14-16.
may be checked by N. C., **11**. 420.
may export grain to N. E., **14**. 269.
may give aid against Franklin, **22**. 681-2.
members in C. C., **20**. 603, 632; **21**. 441, 533.
memorials on defence of and other papers ment'd, **5**. 805, 807.
merchandise brought from, **3**. 77.
merchants' memorial on confiscation, **19**. 952-955.
messengers sent to, **1**. 429.
method of granting land in allowed to N. C., **11**. 66-67; of keeping pub. accounts imitated, **8**. 152.
militia, **16**. iii; at Hillsboro, **14**. 503-504; defeated, **17**. 1001, 1002; flee from Camden battle, **14**. 584; in Stono battle, **14**. 313; in So. campaign, **15**. 10, 18, 26, 33; join Washington, **22**. 971, 972; of no service, **1**. 886; return home, **15**. v; serves in, **17**. 97; to be called out, **14**. 851; to be raised against Indians, **11**. 449; wd. at Camden, **22**. 531.
military aid to allowed, **23**. 245, 422.
Miller sent to for trial, **1**. 229, 269, 289, 290, 299; party of flees to, **1**. 327.
minutes of council, **1**. 614-615; on Indian troubles, **1**. 570.
money advanced for troops of, **10**. 699; controlled by gov. and council, **6**. 2; devoted to So. Dept., **14**. 552.
movements of riflemen, **15**. 66; of troops, **14**. xi.
Muhlenberg on troops in, **14**. 560-561.
multiplicity of towns, **1**. 313.
murders on frontiers, **5**. 409.
must stand with N. C., **11**. 263.
musters militia, **1**. 809-810, 811, 816.
necessity of sending N. C. products to, **1**. 287.
negroes and British commodities brought in, **3**. 598, 608-609, 621-622; **4**. 172; used against, **10**. 714.
N. Y. and S. C. troops in, **5**. 129, 130.

no application to Va. about Teach, **2**. 319.
no clothing from, **14**. 724.
N. C. rogues run to, **1**. 258, 259; troops to join, **24**. 405; **25**. 458; sent to, **24**. 156, 157, 257.
not a favorite market, **3**. xvii.
not able to support French war, **5**. 129.
not likely to remove from to C., **1**. 100.
number of militia in Charleston, **15**. 26; of troops from, **14**. 272; for French war, **5**. xi; in N. C., **15**. 252.
oaths taken by governor, **3**. 67.
obligations of crown in, **3**. 12.
officers of admiralty court, **1**. 510, 515.
opening of land office opposed by Cont. Cong., **14**. 215, 216, 217-218.
oppose French and Indians, **10**. 779.
ordered to raise troops for French war, **5**. 791.
orders in Council on N. C. boundary, **1**. 356-358.
orders troops to Transylvania, **11**. 606.
organization of forces, **5**. 371.
overflow of population from, **18**. iii, iv, 433.
paid for goods, **13**. 892, 984, 985.
Palatines arrive in, **1**. 909-910.
paper money issued by, **5**. 566.
parties flee to from Albemarle, **1**. 293, 311.
Patten serves in, **10**. 622.
pay to council in, **5**. 343, 761, 763.
payment by, **17**. 560; to militia, **22**. 1013.
pays in bills of credit, **16**. 306.
peddling from, **3**. xvii, 336.
persons named for office in, **1**. 462; to be sent back to, **2**. 181.
petition against trading of guns to Indians in, **2**. 201-202; of London merchants on debts in, **4**. 844-845, 846, 847, 848, 849, 850; on tobacco planting, **1**. 74-75; to from Neuse River, **1**. 819-820.
pirates surrender in, **2**. 306; tried in, **2**. 329.
plan of operations in French war, **5**. 144*f*-144*g*; to make it more useful, **1**. 473-474.
Pollock to gov. on Tuscarora war, **1**. 880-881.
population in 1755, **5**. 470, 471, 472, 473.
pork driven to, **6**. 1030; sent to, **14**. 180.
post route established to, **5**. 885, 886, 918, 919, 920; **8**. 3, 4.
powers of inferior courts, **6**. 987-988.
Presbyterians in, **5**. 1193, 1194, 1197, 1198, 1199, 1203, 1214, 1221.
prices fall in, **13**. 154, 155.
prisoners from, **16**. 671-674; sent to, **11**. 293, 697, 822.
privateers fitted out, **5**. 637; go to, **1**. 348.
procedure in matter of precincts, **3**. 441-442, 448, 456.
proclamation against Cary and others, **1**. 776-777, 778; by Dunmore declaring martial law, **10**. 308-309; on lands and against Henderson, **9**. 1169-1170.
promises tents, **15**. 4; to aid against Culpepper Rebellion, **1**. 261.
proposed cessation of tobacco planting, **1**. 312-313.
proposes terms of confederation, **14**. 88; to control Indian trade, **7**. 233-234; to settle Indians on Meherrin River, **2**. 152.
proposition to join N. C. to, **2**. 396, 441; **3**. 11.
protest against act of 1726, **2**. xv; against law on debts, **2**. 279-280.
protests against treatment of Meherrin Indians, **1**. 667-668, 670-671.
provides no funds, **16**. 755.
provisions carried to, **3**. 609, 621-622; ordered from, **1**. 913; sent to army in, **5**. 736.
public bills of credit do not circulate in, **6**. vii; issued to send aid to, **9**. 166.
puts down Cary Rebellion, **2**. x.
Quakers in, **1**. xviii; favor Cary, **1**. 782.
quit rents, **3**. 78, 150, 155, 183, 496, 566, 601-602, 621; law on cited, **8**. 524; lower than in N. C., **3**. 139; methods in, **8**. 176, 177; paid in, **11**. 68; rates of to apply to Albemarle, **4**. 392-393.
quota, **19**. 946; for public debt, **16**. 413, 415, 429, 760, 771, 890, 928, 929; **17**. 60, 513, 528; of revenue, **14**. 307; to sink Cont. currency,

15. 401; to U. S., **18**. 667, 704; value, **15**. 660.
raises militia, **9**. 1206, 1214; troops, **22**. 516.
ratifies confederation, **13**. 379, 386; **14**. 321.
records, condition, **1**. 530.
recruiting in, **13**. 167.
refugees from, **5**. 1206; from Albemarle, **1**. 295.
refuses to make appropriations for French war, **5**. xiv, xv, xvi; to pay Br. debts, **17**. 125; to send troops to S. C., **13**. 254; **22**. 768.
regulars expected from, **14**. 771; to be sent to, **5**. 744.
reinforcement from expected, **14**. 395.
reinforces Washington, **11**. 636, 639, 642, 694.
removals to N. C., **1**. 692; **3**. 430.
rents compared with Md., **1**. 100; paid in tobacco or money, **3**. 144; same to hold in N. C., **3**. 480-481.
repeals act on imports, **16**. 763, 941.
report of Milner on N. C. boundary, **1**. 385-386; on Dunmore's work in, **10**. 371; on finances of expedition in aid of, **6**. 205; on old emissions, **16**. 311.
representation in C. C., **17**. 497, 556, 557, 591; **18**. 488, 517, 518, 538, 548, 552, 640, 641, 671, 709, 726, 754, 794.
resolutions of ment'd, **9**. 1055; approved by Md., **8**. 178; of Burgesses on taxes and trials, **8**. 40-42; of C. C. on land cession, **16**. 891-894; copied in N. C., **8**. 151; on boundary lands, **14**. 314; on defences to be laid before assembly, **13**. 44; on D. S. Canal, **18**. 506-507, 509; on duties, &c., **18**. 511-512, 536, 542-543, 658, 659, 788-789, 792-793; on proposed Fed. Convention of 1788, **20**. 786; submitted to assem., **13**. 833-834, 917, 923, 926.
return of troops under Howe, **11**. 353.
return to because of Tuscarora war, **2**. 16.
road across, **4**. xxi; from through N. C., **3**. 435; laid out from to Cape Fear, **3**. 488-489; to, **1**. 926, 991.
runaways from, **1**. 467, 513, 514, 516-517.
salt and powder to, **11**. 333; not imported into, **9**. 309; works of to be visited, **10**. 717, 718.
Saponey Indians leave, **3**. 89.
seal for, **11**. 211.
secures arms, **15**. 323.
sends aid to Greene, **16**. vii; to N. C., **10**. 587; **15**. 610; to S. C., **15**. 341, 350, 351, 362, 363, 398; commissioners to Indians, **5**. 840-841, 863, 864; delegates to Phila., **17**. 93; fleet against pirates in N. C., **2**. 325-327; forces to suppress Cary Rebellion, **1**. 773-774, 920; Indian slaves to N. C., **2**. 2; laws to C. C., **17**. 515; troops against Cherokees, **5**. liv; **6**. 315, 517, 596; **10**. 650-651, 652, 657, 659, 671, 679, 680, 689, 702, 729, 736, 748-749, 751-752, 758, 772, 776, 780, 782, 788, 789, 837-839, 842-843, 844-847, 883, 884, 885, 892, 951; **11**. xvi; against Shawnees, **5**. xlviii; powder to N. C., **10**. 621, 683; prisoners to the north, **11**. 414; reinforcements to army, **11**. 783; troops to aid S. C., **14**. ix, xl; troops to Cape Fear, **10**. 1039.
settlers go to Tenn., **8**. 652; to go into Chicasaw Nation, **22**. 703-5, 719-21.
share of sinking fund due from, **14**. 241-243.
Shawnees to attack, **10**. 665.
should again have N. C., **2**. 420; **3**. 49.
should collect provisions, **22**. 914.
should make war on Cherokees, **6**. 61.
sickness among troops to be reported, **11**. 337.
silver mine in, **1**. 958-960, 965.
similar products to those of Clarendon Co., **1**. 154.
slaves imported from, **2**. xii.
soil and timber inferior to N. C., **3**. 49.
soldiers for French war asked, **11**. 139; recruited by Br., **16**. 735, 739, 741, 742-743, 768.
S. C. on her treatment of N. C. in Tuscarora war, **2**. 253; seeks information from on Tuscarora war, **1**. 897.
stamps sent from, **7**. 195.

Steuben in command, **15**. 173.
Stevens on position and feeling in, **14**. 638.
stock driven to, **5**. 322.
stores and reinforcements from, **15**. vi.
suffers from easier terms in N. C., **1**. 646.
Sumner to march to, **15**. 495.
supplied with food products from Albemarle, **2**. xv.
supplies ammunition to N. C., **11**. 338; arms to N. C., **14**. 858; army at Valley Forge, **13**. iii; wagons, **14**. 717; the Albemarle section, **3**. 155; to the Caswell, **13**. 133.
supplies for army in, **19**. 874-875; from, **15**. 56; needed for, **14**. 690-692.
Suther teaches in, **8**. 739.
takes part in Indian Congress at Augusta, **11**. 156, 170, 183, 199, 203.
tax on for forts, **5**. 471, 473.
Tazewell on affairs of, **14**. 308-309.
terms of land grants in, **9**. ix; extended to Albemarle, **1**. xvii; of land tenure extended to N. C., **3**. 292-293; **4**. 286-287.
territory of envied, **14**. 217.
threatened, **10**. 495, 1034; **11**. 451; by Br., **10**. 379, 903, 904, 1039; by Indians, **10**. 782, 783.
tired of war, **15**. 301, 302.
tithables in 1756, **5**. 564-565.
to aid Eastchurch, **1**. 288.
to aid in suppressing Culpepper Rebellion, **1**. 296.
to assist in attack on Fla., **22**. 943.
to be asked to prohibit Indian trade, **2**. 246-247.
to be furnished with military supplies, **11**. 314.
to buy cannon, **13**. 238.
to export corn to the Bermudas, **14**. 305-306.
to get half of N. C., **2**. viii.
to help against Tuscaroras, **1**. 840.
to hold conference with Indians, **6**. 974-976.
to propose impost, and influence on N. C., **17**. 99.
to raise troops, **10**. 455.
to recruit in N. C., **22**. 922.
to reduce Chickamauga settlements of Cherokees, **14**. 243-246.
to send troops to N. Y., **10**. 791; to N. C., **11**. 274, 275; to S. C., **13**. 238.
tobacco and linen inferior to that of N. C., **5**. xlii, 317; **6**. 1029; shipped to, **1**. 243, 247-248, 298; smuggled to N. E. through N. C., **3**. xvi.
tories not allowed to return, **16**. 841; not allowed to come to N. C., **22**. 903.
trade allowed to, **10**. 369; laws on cannot be enforced in, **1**. 465-466; returns to be made in bills of exchange, **1**. 853; with, **3**. xv-xvii, 609, 621-622; **4**. 171-172, 1217; **5**. xliii; **6**. 968, 969; with Albemarle section, **8**. v; with Cherokees, **10**. 658; from Beaufort, **11**. 633; with Indians, **11**. 196.
traitors run to from N. C., **1**. 881.
treasury empty, **15**. 370, 371.
treaty with Cherokees, **10**. 708; **14**. 227; **22**. 917-18; signed at Hard Labor, S. C., **7**. 851-855.
trial of Miller for treason, **1**. 234-235; of pirates in, **9**. 309.
troops of, **5**. 926; assemble in, **15**. 774; at Camden, **15**. 383, 384; at Carthagena, **11**. 42, 43; and under Blakeney, **15**. 752; at Ft. Duquesne, **5**. xxx; at King's Mtn., **15**. x-xi; compared with N. C. troops, **14**. 76; condition, **16**. iii; defeated, **5**. 227; desert, &c., **5**. xvi; discharged, **16**. 474; for, **5**. 144*d*; go south, **15**. 323; **19**. 881. 884, 885; in N. C., **14**. xiii, xiv, 390; and condition, **15**. xiii; in southern campaign, **14**. 500, 502. 504, 535, 558, 569, 578, 582, 584. 588, 594, 613, 614, 655, 667, 671. 690, 699, 704, 711, 715, 738, 739. 771, 774, 778, 779, 782, 783, 790. 858, 860, 867; **15**. 58, 139, 151, 252. 256, 265, 269, 270; join Greene, **17**. 1002; look after their lands, **16**. 587-588; may enter service of S. C. and Ga., **10**. 795-796; movements, **16**. iv; mutiny and desert, **5**. 134, 135; naked, **15**. 173; ordered to Billingsport, **11**. 733; to N. Y., **11**. 349; raised by, **13**. 128; for French war, **6**. xii; recruited for in N. C., **11**. 479; reinforce Washington, **11**. 648, 650; rendezvous at Halifax, **14**. 24; sent to, **10**. xl; against Cherokees, **5**. liv; **6**.

315; aid of desert, **11**. 122, 123; to aid S. C., **5**. 763; **13**. 224; sent to because unfit for duty, **15**. 185; to be raised, **5**. xxviii, xxix; for French war, **6**. 325; **11**. 141; to be sent into, **5**. 79; to leave S. C., **14**. 127; to march to, **15**. 635; be raised, **5**. xxviii, xxix; for French war, **6**. 325, 594; **11**. 141; to be sent into, **5**. 79; to leave S. C., **14**. 127; to march to, **15**. 635; wanted from, **5**. 751, 752.
trouble with over capture of flag of truce, **16**. 30.
Tuscaroras to give aid in, **5**. 1012.
unable to supply provisions to N. C. troops, **15**. 714.
value of currency in gold, **2**. 334, 336, 338; of lands, **16**. 754.
vessels sent to, **1**. 178-179.
violence to Indians, **7**. 439.
visited by N. C. Quakers, **1**. 719.
votes money for French and Indian war, **5**. 110; for Indian trade, **7**. 216; for Tuscarora war, **1**. 890, 892, 893, 895; not to close Miss., **22**. 901; reinforcements, **11**. 819.
wagons pressed in, **14**. 499.
want of land in, **1**. 690.
wants duty, **16**. 886; Federal capital, **16**. 842, 843-844, 878, 908; pay for defending Ocracoke, **14**. 19; to regulate Cherokees, **10**. 901-902, 912-913, 951.
war to be fought in, **15**. 519.
western part wants independence, **16**. 460.
wines and salt to be sent to, **10**. 726, 727.
wine imported, **1**. 101.
wishes in matter of general officers, **11**. 381.
work of militia at Guilford C. H., **15**. 430.

Virginia and North Carolina Boundary and Boundary Dispute, 1. 324, 352, 364-367, 459, 460, 505-516; **2**. 74-75, 419, 499-500; **3**. 419; **14**. 82; **20**. 268; **21**. 11, 435, 439, 441, 586, 1014.
act to extend, **24**. 223-4, 478; to quiet titles near, **24**. 353-4, 383, 446-7; to secure rights on line, **24**. 300-2, 333.
action of Board of Trade, **1**. 641; of Va. council on, **1**. 614-615, 645-648, 667-671, 746-9, 754-755; **2**. 205.
affidavits to be taken, **1**. 739.
allowance for, **13**. 908.
amount of land granted for survey, **4**. 319.
answer of Va. commissioners to N. C. protest, **2**. 788-790.
bill to extend, **13**. 565, 579, 582, 606-607, 685, 687, 700, 710, 719, 734*o*.
Board of Trade on, **1**. 525-6, 641, 703-4; to Gov. Gooch on, **3**. 16, 20; to Jennings on, **1**. 716-717.
Bray to mediate on, **1**. 520.
Byrd to Board of Trade on survey and pay for same, **3**. 20-24; letter of on boundary ment'd, **3**. 63-64.
cause, **1**. xxii.
charges against Va. commissioners, **2**. 780.
claims gov. of N. C. had no power to act, **1**, 506-507, 509.
commissioners, **3**. 21; appointed, **1**. 505-508; **2**. 311-312, 518, 724-725, 731, 734, 740-741; paid with land, **4**. 307, 312; to be appointed to settle, **1**. 703; to Caswell on dispute over line, **14**. 353-355.
compromise agreed to by Eden and Spotswood, **2**. vi, 222-223, 299, 311, 681, 731, 732, 733-4, 740, 744-5, 750, 800.
conference on ment'd, **1**. 958.
cost of survey, **4**. 28.
debtors flee to disputed area, **2**. 769.
depositions on, **1**. 660-663, 676-677.
difficulties and dangers of survey, **3**. 21-22.
discussion of, **1**. xxii-xxiv, 505-519.
dispute over Currituck, **1**. 339-340, 343.
Eden proposes to settle, **2**. 204, 311.
equipment of Va. commissioners, **2**. 735.
Everard tries to protect land of settlers in disputed area, **2**. 736-737, 738-739, 740, 743.
extension of, **14**. 107, 109-110, 117, 121-125; discussed, **11**. 567-568, 569.
fears of Gov. Nicholson, **1**. 542.
gains from Va. by survey, **3**. 209-210.
Glover to Va. authorities, **1**. 649.
Gooch on survey, **2**. 734; to Board of Trade on, **2**. 768-769; to Everard on, **2**. 738-739; letter of on survey ment'd, **3**. 61-62.

guard and supplies for, **14**. 318; necessary for, **14**. 191, 192-194.
Guion to Caswell on needs of, **14**. 191.
hindered by Cary Rebellion, **1**. 783.
instructions on, **1**. 338; to commissioners, **2**. 741-743, 744-746.
Jennings on, **1**. 657; to Gov. Glover, **1**. 657.
journals and map of survey sent to England, **3**. 22; N. C. and Va. commissioners, **2**. 730-749, 750-757, 776-782, 782-798, 799-815; **3**. 62.
lands granted by Va. within disputed area, **2**. 731; to pay for, **5**. 95, 98; **11**. 37, 70, 71; within disputed territory not to be granted, **1**. 669-670.
length of boundary surveyed, **2**. 796, 815.
letters between Spotswood and Hyde on, **1**. 750-754; of Va. commissioners to N. C. commissioners, **2**. 735; to Board of Trade on, **1**. 645-646; to and from Va. commissioners, **1**. 736-737.
levies rents on Currituck and Blackwater, **1**. 339-340, 343.
line run, **3**. 149; to be extended, **12**. 239, 432.
losses and gains for N. C. and Va. in survey, **2**. 747-749, 768-769.
Moseley objects to differences in commissions, **1**. 738-739; to deliver papers on to Eden, **2**. 142.
Nicholson to Harvey on, **1**. 508-510.
N. C. commissioners fail to reach Williamsburg, **1**. 737; instructed, **2**. 741-743; reply to those of Va., **2**. 737-738.
N. C. council on, **1**. 657-660.
N. C. grants patents within disputed area, **2**. 134-135.
northern b. of N. C. indicated, **1**. 372, 385-386.
orders in council on settlement of according to agreement, **2**. 679-681; of Va. council on, **1**. 356-358.
patents issued to pay for survey discussed, **4**. 266.
payment for, **17**. 396, 401; in lands, **4**. 316, 319; of commissioners, **3**. 62; of expenses, **3**. 13, 17, 20, 22-24.
people settle within disputed limits, **2**. 221, 309, 636, 683, 739; thrown within N. C. renew patents, **3**. 487-488.
plan of line sent to Board of Trade, **4**. 1237.
proceedings of council, **1**. 505-508.
proofs sent, **1**. 478.
proposals to end survey, **2**. 778-80, 786.
proposed settlement of land claims on line of, **14**. 314; survey, **1**. 339-340.
Proprietors agree to compromise, **2**. 517-518, 680, 731, 732, 788.
protest of N. C. commissioners, **2**. 780-781, 787-788.
provisions for, **14**. 139-140, 144, 145-147.
report on, **21**. 350-351, 353.
resolutions of Gen. Assem. on land titles on line, **14**. 869-870.
retards settlement, **2**. xiv.
satisfied with powers of gov., **1**. 513, 515.
settled, **3**. 1, 12.
settlement of disputes on proposed, **14**. 136-137.
should be settled, **1**. 691.
sources of money for survey, **4**. 309.
Spotswood forbids seating of lands in disputed territory, **1**. 853-854; proposes to survey both lines, **2**. 134-135; to Board of Trade on, **1**. 755, 839, 847; **2**. 134-135; on compromise line, **2**. 221-222.
summary of claims of two sides, **1**. 745-746, 748; of Ludwell's report, **1**. 757.
survey, **3**. 246, 487; **4**. xiii, 301-302; **14**. iv; **18**. 358; **19**. 799, 801, 828; extended to the mountains, **3**. 13; resumed, **2**. 776, 782; stopped by rattlesnakes, **2**. 757; **3**. 21.
tents needed for, **14**. 195-196.
titles of parties in disputed territory to be validated, **2**. 725, 744.
to be extended by Va., **14**. 246.
to be referred to Lord High Treasurer, **1**. 704.
to be submitted to Queen, **1**. 703.
unsettled, **2**. 395.
variation of compass considered, **2**. 738-739, 740, 742, 743-744, 748, 750, 756, 769, 777, 785, 798, 807, 811.
Va. commissioners, **2**. 731, 768; ask to defer survey, **2**. 749.
Va. survey of land within disputed area to be repelled with arms, **2**. 375.

Walker's line confirmed, **21**. 1033, 1034.
work suspended, **2**. 532.
Virginia Argus, extract from, **15**. 116-117.
Virginia Committee of Safety, Council of Safety to on fitting out galleys, **11**. 315; on Indian outbreak, **11**. 315-316.
grants powder and lead to, **11**. 276.
Virginia Convention, action on N. C. troops, **10**. 341.
C. of S. to on Indians, **11**. 313-314.
Howe and Woodford to on Br. attack on Norfolk, **10**. 379-380.
Howe to on Br. attack on Norfolk, **10**. 381-382, 387; on correspondence with Dunmore on exchange of prisoners, **10**. 365-369; on situation at Norfolk, **11**. 263; on supplies for British, **10**. 365.
proceedings in case of brig Fanny, **10**. 409-410; on refugees at Norfolk, **10**. 380-381; on Scotch immigrants to N. C., **10**. 346.
thanks Howe, **11**. 262; N. C. for military aid, **10**. 396; N. C. troops, **10**. 364.
to be asked to fit out vessels, **10**. 572.
to Prov. Council on Howe's service at Norfolk, **11**. 270.
Virginia Council, action on boundary dispute, **1**. 754-755; **2**. 205; on capture of Teach, **2**. 327; on Cary Rebellion, **1**. 778-779; on encroachments on Indians, **2**. 499-500; on Indian war, **1**. 754-755, 808-810; **2**. 22-23.
charges N. C. with ingratitude, **2**. 382.
gives free advice on conduct of Tuscarora war, **1**. 836-837.
governor's speech to on Tuscarora war, **2**. 73.
letter to N. C. on Indian lands and boundary, **1**. 667-668, 668-671.
on N. C. treaty with Tuscaroras, **2**. 57.
on Tuscarora war, **2**. 36.
orders land surveyed on Moratock River, **2**. 375; levies to be collected in Currituck, **1**. 324-343.
proceedings on boundary dispute, **1**. 746-749.
prohibits Indian trade, **1**. 808.
refuses to join N. C. against Sawra Indians, **2**. 247.
to send troops to N. C., **1**. 762-763.
Virginia currency, act to punish counterfeiters of disallowed, **11**. 213.
Virginia debtors, excepted under N. C. law, **1**. 672, 675.
Virginia debts, pleadable in N. C., **1**. 691.
Virginia Gazette, **8**. 718 *note;* **10**. 846; **11**. 407; **12**. 623, 745; **23**. 200; **24**. 265, 427.
extract from, **10**. 31-37; on King's Mtn., **15**. 141-142, 163-165.
Virginia Indian traders, injuries done to S. C. by, **2**. 251-254.
killed by Sawras, **2**. 289.
Virginia line, sent south, **15**. 661.
See also Virginia, troops.
Virginia money, **9**. 370.
Virginia Ray N. K. River, **16**. 652.
Virginia State papers, reprints from, **11**. 241, 245, 247.
Virrell, Henry, petition, **20**. 539.
Virrgines, tobacco of, **1**. 57.
Virtue, to be encouraged, **22**. 664.
Visher's Great Britain, ment'd, **1**. 978.
Visitor General, title of Gov. Nicholson, **2**. 20, 21.
Vissage, Jacob, petitions Burke for pardon and commendation, **16**. 276-277.
Visson, Mr., threatens French, **13**. 429.
Viverett, Thos., petition, **21**. 71, 77, 89, 95, 192, 247, 249, 338, 355, 434, 609, 682.
Vixunt, Geo., officer, **22**. 702.
Vize, Henry, army rank, **16**. 1177.
in army, **15**. 721.
Vleck, Jacob van, attends Synod in Herrnhut, **5**. 1156.
Voght & Co., Caspar, to Martin on manufacturing advantages of Germany, **16**. 920-924.
Vogler, George, helps reorganize Lutheran Church, **8**. 785-786.
Volant, sloop, captures privateers, **13**. 186; **22**. 758.
Volcleve, John, fined, **9**. 652.
Vollow, Nichs., army rank, **16**. 1179.
Volls, Aaron, army pay, **17**. 255.
Vonstranoer, Peter, regulator, **7**. 734.
Vos, Joan, witness, **1**. 417.
Vos, William, juror, **1**. 406, 407, 409.
witness, **1**. 417.
Vos van Strenwyk, Baron, **17**. 130, 131.

Vose, Jos., army rank, **16**. 1179.
Vosel Creek, **1**. 494.
Voters, qualifications of, **2**. 214-215.
Voting, methods of, **2**. 215.
places appointed, **2**. 214.
right of president of council to cast two ballots, **4**. 446, 449-453, 455-460, 462-470, 480-481, 482, 483, 484, 485, 486-487.
See also Suffrage.
Vowel, Wm., army pay, **17**. 255.
Vowell, Wm., army rank, **16**. 1178.
in army, **15**. 728.
reënlists, **15**. 750.
Voyce, Martin, a volunteer, **14**. 838.
Voze, Henry, reënlists, **15**. 749.

W

W., ——, **16**. 947.
W., ——, contributes journal of Hugh McDonald, **11**. 828-832.
W., C., duty to suppress New Lights, **7**. 286.
W., J., and Martin, **16**. 534.
empowered to receive confiscated property, **16**. 935.
W. Coty, **15**. 447.
W ——, N ——, Pee Dee, **14**. 580.
W——t, Mr., **17**. 140.
Wabash Indians, messages to, **10**. 774.
Wabash (Occabach, Onabach, Oubash) River, **5**. 385; **10**. 376; **17**. 160; **18**. 514; **20**. 745, 746.
fort on needed, **5**. 465, 467, 468, 476.
French port on, **5**. 173, 222; **6**. 617.
Wabb, Rich'd, petition on separation, **22**. 705-9.
Wabbleton, Joshua, pay to, **17**. 259.
Waccamaw. See Waggamaw.
Waccamaw (Waggamaw), **5**. 161; **9**. 1022; **10**. 622; **14**. 618 (?), 839; **21**. 693.
bill for road, **6**. 492.
danger from people of, **10**. 419.
tories at, **14**. 649.
Waccamaw (Wacemaus) Indians, desire peace, **2**. 252.
persuaded to join against whites, **2**. 251, 252.
Waccamaw (Waggamaw) Lake, **6**. 608, 1190; **23**. 220, 622, 623.
and S. C. line, **6**. 793.
location, **3**. 489.
Waccamaw (Wackamorn, Wiccamaw, Wagyamaw, Waggomaw) River, **3**. 425; **4**. 258; **6**. 609, 611; **9**. 1022; **11**. 11, 18; **17**. 1035; **19**. 963; **21**. 693; **22**. 126, 144; **23**. 220, 622.
and S. C. boundary, **4**. 27; **5**. xxxvi-xxxvii, 372-373, 376, 380, 386; **8**. 566, 569; **11**. 18, 19, 20, 21, 22, 26, 129, 148.
proposed boundary for N. C. and S. C., **3**. 84, 115.
S. C. grants land on, **5**. 372.
to be surveyed, **5**. 490.
tories on, **15**. 655; **16**. 250, 251, 553.
Waccamaw (Wickamaw, Waggamaw) Swamp, **5**. 821, 994.
Waccon Indians, prisoners, **1**. 891.
Wach Creek, **5**. 1148.
Wach River, **5**. 1159.
Wachau, Valley of, Austria, **5**. 1146.
Wachovia, **5**. 1149, 1151, 1152, 1157; **8**. 592; **16**. 26.
act to erect into a parish, **23**. 438-9, 906-7.
bequeathed to Benzien, **5**. 1157.
bill to erect into a parish, **5**. 509, 510, 511, 512, 513, 519, 539, 542, 544, 546, 547, 549, 551, 558.
divided, **5**. 1147.
immigrants to from Pa. and Maine, **5**. 1150.
lands claimed by others, **5**. 1153, 1154.
made separate parish, **5**. 1148, 1152.
monument to, **5**. 1147.
origin of name. **5**. 1146.
petition from, **9**. 456; to be put into Surry Co., **9**. 47-48.
semicentennial of, **5**. 1158.
settlements in, **5**. 1150, 1151, 1152, 1158.
vested in F. W. v. Marshall, **5**. 1155; **24**. 466.
Wachovia Society, organized, **5**. 1147.
Wachsel, Rev. Dr., to aid Germans of Rowan, **8**. 632.
Wackerson, Mrs., **9**. 1065.
Wacksaw. See Waxhaw.
Wacksaw Indians, friendship of cultivated, **1**. 898.
Waco, **22**. 122.
Wacomico, S. C., **15**. 177.
Waddel, Mrs., powder owned by, **9**. 1111, 1112.
Waddel, Wm., claims on S. C. survey, **9**. 302.

Waddell, Burgwyin, and Bailey (James), bill for supplies, **22.** 471-2.
Waddell, Mr., 9. 617.
Waddell, A. M., furnishes documents, **15.** 760.
Life of Hugh Waddell cited, **5.** xix.
Waddell (Waddle), Charles, allowance to, **12.** 610, 909.
claims allowed, **13.** 599-600, 601. 713.
on Surry S. C., **10.** 251.
Waddell, David, petition on C. H., **9.** 806-808.
Waddell, Edmd., in assem., **20.** 120, 121, 167, 229, 238, 239, 240, 246, 276, 285, 287, 288.
resigns as J. P., **21.** 226, 239.
town coms'r, **24.** 247.
Waddell, Gl., rations to, **22.** 269.
Waddell (Waddle), Hugh, 6. 214, 284; **8.** xxvii, 223, 612, 613, 614, 617; **9.** 414, 527; **19.** 799; **22.** 421, 425, 437, 441, 442, 443, 462, 463, 465, 466, 469, 477, 478, 484, 822, 835, 849, 878.
a J. P., **5.** 828; **6.** 762, 799, 1070.
ammunition blown up, **8.** 618; **9.** 69, 98.
appointment to command defended, **6.** 282.
asks recruiting expenses from assem., **5.** 255, 256.
bill to for supplies, **22.** 471-2.
brings Lobb to terms, **7.** vii.
builds Ft. Dobbs, **5.** xlviii.
calls out militia against Stamp Act, **8.** ix.
claims allowed, **6.** 964. 1109, 1125, 1178, 1181, 1198.
clerk of council, **5.** 273, 281.
commands against regulators, **7.** xxx; **8.** 548; at Ft. Dobbs, **5.** xlviii, 849; at Ft. Duquesne, **5.** xxx, xxxi; militia, **7.** xiii; troops, **6.** 204.
company of, **5.** 367.
coms'r on county, **23.** 625; on road, **23.** 754; **25.** 480; on town, **25.** 470.
dead, **9.** 695.
death and sketch, **5.** xxii-xxiv; **9.** xliii-xliv, xlv, xlvii.
deposition on destruction of ammunition of, **8.** 622-623.
Dobbs to on Indian depredations, **5.** 604-605.
forced to retreat, **8.** 636; to Salisbury, **8.** 610.
Ft. Dobbs besieged by Cherokees, **5.** liii.
hires wagons, **6.** 741.
in assembly, **5.** 877, 884, 887, 897, 898, 903, 917, 923, 1006, 1012; **6.** 89, 90, 95, 102, 103, 109, 364, 374, 377, 400, 401, 407, 421, 422, 428, 430, 432, 443, 458, 460, 470, 492, 497, 504, 509, 512, 514, 517, 519, 859, 902, 903, 909, 912, 921, 927; **7.** 342, 343, 354, 399, 555, 558, 565, 573, 574, 578, 582, 603, 630, 635, 639, 640, 662, 663, 664; **9.** 108, 137, 139, 148, 162, 223.
in regulator campaign, **8.** vii, 594, 649, 656, 659, 674, 699, 700, 701, 703, 708; **9.** 19; **19.** 840, 841, 842, 848, 849, 850, 851, 852.
Indian commissioner, **5.** xxvi.
interest should be allowed to, **6.** 1140-1141.
joins Tryon against regulators, **8.** 592, 593; Va. troops, **5.** liv.
life cited, **5.** xix.
makes treaty with Cherokees, **6.** 617.
money paid to for militia, **6.** 121, 142, 143-144.
nominated for council, **6.** 713, 714; **9.** 360.
on Cherokee bound. expd'n, **7.** 991, 995, 1008.
on claims com., **22.** 852.
on com. of assem., **6.** 98, 100, 365, 486; **7.** 297, 345, 553, 570, 571.
order book on regulator campaign, **8.** 601-607.
ordered to join army, **8.** 716; to join Tryon, **8.** 713, 715-716.
orders to in regulator campaign, **8.** 674.
paid for work as commissioner to Cherokees, **5.** 840-841, 863, 864.
payment to, **5.** 798, 967, 968, 974; **6.** 272; for troops, **6.** 206.
rebels destroying ammunition of to be destroyed, **9.** 275.
recommended for council, **8.** 493.
recommends McCartney, **9.** 61-62.
reports on accounts, **5.** 800-801; **6.** 418-419; on refusal of militia to march against Cherokees, **6.** 119, 136-137.
resolves to retreat before regulators, **8.** 608.
resurveys asked, **6.** 764-765, 766.

retreats to Salisbury, **7**. xxxi.
return of troops under, **15**. 760.
sent against Indians, **5**. l; to frontiers, **6**. 61; to treat with Indians, **5**. 722.
serves in French war, **5**. xi.
succeeded at Ft. Dobbs by Bayley, **5**. l.
surety, **7**. 783-784.
takes scalps, **22**. 822.
threatens Ft. Johnston, **7**. 181-182.
to aid S. C., **6**. 790.
to command militia, **5**. 357-358.
to Dobbs on Indian battle, **6**. 229-230.
to Dry on seizure of vessels, **7**. 177-178.
to order out militia, **5**. li.
to pay money to Campbell, **6**. 467, 509.
to pay pensions, **6**. 422, 431, 432.
to scout on frontiers, **5**. 357.
troops of sent to S. C., **5**. li; not in Alamance battle, **8**. 635.
Tryon to on army, **8**. 714; on battle, **8**. 712-713; on further service against regulators, **8**. 717; on movement of troops, **8**. 711; on requisitions, **8**. 715.
warrant to, **8**. 706.
Waddell, Hugh, Sr., **5**. xxiii; **9**. xliii.
Waddell, John, Watauga to be annexed, **10**. 708-711.
Waddell, Mary, wife of Hugh, **6**. 764, 765.
Waddell, Nathaniel, army pay, **17**. 260.
Waddell, Wm., to Dry on seizure of vessels, **7**. 177-178.
Waddell, Wm., witness, **7**. 183.
Waddells, The, and Burgwyn, **17**. 153.
Waddenton, Wm., army pay, **17**. 260.
Waddill, Edm., in conv. 1788, **22**. 3, 5, 25, 28, 30, 32, 35.
Waddle, **8**. 581.
Waddle, Haynes, memorial, **19**. 512-513, 516.
Waddle, Jas., army rank, **16**. 1190.
Waddle, Moses, army pay, **17**. 260.
Waddle, Thos., army pay, **17**. 257.
Waddle, Wm., in militia, **22**. 437.
Waddleboro Fort, **22**. 128.
Waddon, Benj., settler, **1**. 76.
Wade. See Waid, Waide.
Wade, Mr., **14**. 760.
Wade, Capt., roster of co., **16**. 1006, 1016, 1032, 1044, 1058, 1078, 1115, 1186.
Wade, Mrs. Alice, assignment, **1**. 393.
Wade, Andrew, in army, **15**. 729; **16**. 1184.
Wade, Benj., allowance to, **19**. 46.
Wade, Benj., in militia, **22**. 395.
Wade, Benj., payment to for collecting live stock, **16**. 76.
Wade, Charles, in militia, **22**. 162.
Wade, Charles, takes oath, **22**. 178.
Wade, Danl., army rank, **16**. 1182.
Wade, David, petition to Caswell on his enforced military service, **22**. 894-5.
to be discharged, **22**. 911.
Wade (Wayde), Edward, deposition of, **1**. 249.
high sheriff, banished, **1**. 318, 320.
petition, **1**. 305-306.
Wade, Elisha, army rank, **16**. 1192.
Wade, Francis, juror, **1**. 427.
Wade, G., to Smallwood on provisions, **14**. 758-759.
Wade, Henry, agrees to restitution of fees in Rowan, **8**. 521-522, 534.
Wade, Isaac, in militia, **22**. 387.
Wade, I. Jos., army rank, **16**. 1186.
Wade, Jacob, a J. P., **23**. 993.
Wade, James, army pay, **17**. 259.
Wade, Jas., in militia, **22**. 371.
Wade, John, a J. P., **4**. 895, 1038.
land grant asked, **4**. 636, 704, 708, 759.
rights proved, **4**. 705.
Wade, John, army pay, **17**. 258.
army rank, **16**. 1192.
Wade, John, exempted, **7**. 383, 575.
Wade, John, juror, **1**. 396.
Wade, John, law suit, **1**. 399.
Wade, John, petitions for repeal of tax on free negroes, **6**. 982.
Wade, John, quit rents of, **22**. 251.
Wade, John, vestryman, **23**. 250.
Wade (Waid), Joseph, **11**. 712.
Wade, Joseph, in militia, **22**. 161.
Wade, Joseph John, captain, **10**. 945, 949.
Wade, Richard, asks protection for pilots, **9**. 803-804.
canal coms'r, **24**. 825.
Wade (Waid, Waide), Col. Thomas, **9**. 931; **14**. 468, 484; **15**. 139.
a J. P., **23**. 992.
and supplies, **16**. 742.
appoints Graham to recruit, **15**. 688.

attacks tories and is defeated, **22**. 205-6, 238.
Bd. War to on prisoners, **14**. 480.
chairman meeting of Anson on Rev. affairs, **9**. 1032.
collects cattle, **16**. 719.
colonel, **10**. 204, 472; **11**. x.
complaints of, **22**. 550.
contests election, **9**. 748, 755; **21**. 750, 757.
enlists men for Cont. Cong., **10**. 125, 127.
furnishes shoes, **14**. 435.
horsemen of at Cross Creek, **15**. 526.
in assembly and dead, **18**. 4.
in Prov. Cong., **10**. 164, 167, 172, 182, 204, 913, 916, 960.
Kimbrough surrenders to, **22**. 612.
letter on shoes ment'd and answer, **14**. 433.
lt. col., **20**. 272, 460.
losses of, **14**. 865.
meets tories at Raft Swamp, **22**. v.
on com. of assembly, **16**. 48, 53, 154.
on com. of cor. of Anson, **9**. 1033.
on com. of Prov. Cong., **10**. 173, 919, 938, 979.
paper sent by, **15**. 415.
patriot leader in Anson, 125, 126, 127, 128.
petitions on land grants, **9**. 1260-1262; **11**. 250-252.
pursues tories, **14**. 674.
recruiting officer, **22**. 928.
reports on tories, **22**. 584; to Harrington on promotion of Davidson, **14**. 636.
says King will establish popery, **10**. 127.
to Caswell on case of tories, **11**. 664; on Lowry and other returned prisoners, **11**. 607; on tories in Anson, **11**. 655.
to Gates on treatment of tories, &c., **14**. 750-752.
to inventory loyalists' property, **10**. 554.
to Nash on tories, rioters, courts and British, **14**. 865-866.
to pay for salt, **10**. 999.
to procure arms, **10**. 524.
to report on tories, **14**. 683.
town coms'r, **24**. 513.
Wade, Thos., in assem., **19**. 1, 2, 20, 23, 38, 53, 54, 87, 89, 90, 108, 110, 115, 131, 141, 168, 175, 176, 215, 218, 256, 298, 355; **21**. 585, 595, 598.
in conv. 1788, **22**. 1, 4, 25, 27, 30, 31, 35.
in conv. 1789, **22**. 36.
memorial, **19**. 214, 215, 332, 347.
owes State, **21**. 1071.
Wade, Thos., pardon asked for, **20**. 149, 332.
Wade, Thos., Jr., resolve in favor of, **19**. 192, 317, 321.
Wade, Valentine, a J. P., **4**. 1038; dropped, **6**. 339.
summoned to council to answer neglect as J. P., **6**. 82.
Wade, Wm., army rank, **16**. 1189.
Wade, Wm., land grant to, **4**. 618.
Wadesborough, **21**. 952, 968.
act to change name from Newton, **24**. 949.
bill for clerk's office to be kept at, **21**. 790; to change name of Newton to, **20**. 156, 159, 174, 177, 185, 339, 352, 377.
Wadesworth, Ensign, dead, **15**. 757.
Wadkins. See Watkins.
Wadkins, Benj., army rank, **16**. 1192.
Wadkins, Henry, in militia, **22**. 358.
Wadkins, Jno., army rank, **16**. 1188.
Wadkins, John, pensioner, **22**. 91.
Wadlington, Thos., resigns as J. P., **20**. 245, 435.
Wadren, Richard, vestryman, **2**. 209.
Wadsworth, Col., **9**. 1231.
Wadsworth, James, in C. C., **21**. 441.
Wadsworth, Jeremiah, coms'y gen., **22**. 810.
drafts in favor of, **16**. 405.
Wadsworth, Wm., army rank, **16**. 1193.
Wadsworth, Wm., pensioner, **22**. 91.
Waff, George, army pay, **17**. 258.
Waff, George, army pay, **17**. 263.
Waff, T., Baptist minister, **5**. 1180.
Waffer, Richard, signs Tryon Asso., **10**. 162-163.
Wafford's Iron Works, **22**. 127.
Wager of Law, Eng. act on in force in N. C., **23**. 317.
Wages, in 1756, **5**. 644.
in Transylvania, **10**. 387.
of assembly, **15**. 205; and council, bill for, **4**. 716, 717, 718, 724, 727, 729, 747, 749, 772; discussion over, **4**. 911, 912-913, 914, 915; estimates, **5**. 52-53.

of seamen, **1**. 135.
provisions for assembly, **5**. 75.
Wagg, John, pensioner, **22**. 91.
Waggamaw. See Waccamaw.
Waggamaw, **25**. 463.
Waggamaw Lake, **24**. 148.
Waggamaw Neck, quit rents paid at, **25**. 218.
Waggomas, **22**. 314.
Waggoner, ——, prisoner, **16**. 671.
Waggoner, James, army pay, **17**. 257.
Waggoner, Jas., army rank, **16**. 1191.
Waggoner, John, army pay, **17**. 258.
Waggoner, Jno., petitions, **19**. 932.
Waggoner (Wagoner), Samuel, agrees to restitution of fees in Rowan, **8**. 521-522.
excluded from pardon as regulator, **8**. 613, 618.
Waggoner, Samuel, co. coms'r, **25**. 14.
Waggoner, Wm., land grant to, **4**. 1255.
Waghinston (Washington?), Col., **14**. 630.
Wagoner, Dr. Daniel, deposition and petition, **19**. 142, 152, 180, 230, 254, 269, 272, 294, 308, 365, 367.
Wagons, Ingram to Gates on the loading of, **14**. 700.
need of, **14**. 508; for troops, **14**. 394, 395, 396, 397, 398, 406, 408, 409, 420, 445, 456, 485, 535, 536, 625, 639, 730, 732, 751-752, 753, 840, 846.
pressed in Va., **14**. 499.
report on wanted, **14**. 393.
Wagstaff, Wm., in militia, **22**. 371.
Wahab, James, in militia, **22**. 497.
Wahab's, battle at, **19**. 968; **22**. 730.
Wahasuke Fort, taken, **2**. 38.
Wahnsley, Edward, land grant to, **4**. 628.
Wahob, James, lieut., **10**. 546.
Wahrendorfs, **16**. 923.
Waid. See Waide, Wade.
Waid, John, land grant to, **4**. 636.
Waide, George, imported, **1**. 494.
Wails, Robert, land grant to, **4**. 443.
Wain. See Wayne.
Wain, Jno., juror, **25**. 189.
Wain, Thos., exempted, **4**. 128.
Waine, James, resurvey granted to, **4**. 636.
Wainscot, Isaac, to Husband on extortion and lack of justice in Rowan, **8**. 68-70.
Wainwright, J., land grant to, **4**. 223.
Wainwright, James, a J. P., **4**. 330.
land grant to, **4**. 223 (?), 343.
reports accounts, **4**. 528.
summoned to assembly, **4**. 725.
Wainwright, Obdh., army rank, **16**. 1192.
Wair. See Ware.
Wair, George, petitions for Windsor as C. H., **9**. 804-805.
Wait, Col., **14**. 630.
Waite, Wm., in assembly, **4**. 733, 737.
land grant to, **4**. 945.
reports on grievances, **4**. 744-746.
Waiters, abuse of soldiers as, **14**. 716-717.
Waitrel, Henry, to Burke on suit, **16**. 676.
Wake, Miss, marries Tryon, **8**. xxxiv.
Wake, Mr., made prisoner by Br., **15**. 130.
Wake, Esther, county named for, **4**. iv.
Wake, **11**. 328; **16**. 66, 69, 172, 959; **17**. 292, 293; **18**. 291, 404; **19**. 39, 166, 285, 392; **22**. 556, 1044.
Wake (parole), **22**. 874.
Wake County, **4**. iv; **7**. xxxii, 836, 998; **8**. 500, 575, 594, 600, 654; **9**. 109, 111, 114, 120, 149, 158, 159, 164, 169, 184, 298, 405, 458, 515, 593; **10**. 284, 482, 503, 525, 569, 688, 695, 701, 706, 825, 839, 999; **11**. 501; **12**. 652, 763, 801, 860, 861, 864; **13**. 40, 195, 254, 278, 316, 752, 753, 841, 911, 932, 933; **14**. iv, 178, 225, 380, 392, 395, 396, 408, 413, 414, 426, 620, 860; **15**. 8, 450, 464, 488, 491, 526, 528, 529, 599, 609, 612; **16**. viii, 78, 208, 518; **17**. 409, 769, 823, 944; **18**. 24, 107, 317, 344, 345, 351, 357, 361, 362, 389, 399, 412, 429, 443, 445, 468, 469, 471, 497, 804; **19**. 137, 138, 248, 514, 557, 578, 584, 623, 672, 838; **20**. 98, 234, 437; **21**. 284, 366, 750, 768, 800, 837, 898, 900, 915, 964, 971, 989, 995, 1001, 1067; **22**. 152, 435, 442, 458, 539, 545, 575, 612, 613, 756, 1044, 1046; **23**. 828, 856, 874, 904, 912, 946, 952, 991; **24**. 109, 425, 523, 644; **25**. 100, 109; **26**. 1272, 1275, 1279, 1281.
act for court, **24**. 37-9, 50, 64, 161; for tax for pub. building, **24**. 177, 461, 594, 693; **25**. 93-4; for poorhouse, **24**. 949-50; on jurors, **24**. 82-4, 273-5; on strays in, **23**. 856; to add part to Franklin, **24**. 838;

to destroy vermin, **23**. 914; wild animals, **24**. 749-50, 826; to erect, **23**. 819-23; to fix time for co. court, **24**. 161-2, 717-18.
and location of capital, **13**. 752-753, 809.
asks Wilmington for powder, **10**. 157.
assembly held in (Wake C. H.), **24**. 384, 417, 422, 423, 426, 445, 473, 478, 490, 510.
Baptists in, **5**. 1184.
bill to add part to Franklin, **18**. 61, 102, 126, 291, 327, 338, 340; to erect, **8**. 299, 336, 341, 347, 386, 401, 429.
census of 1790, **26**. 1161-1187.
clothing for troops due from, **12**. 639, 748.
competition in for surveyor and entry-taker, **13**. 40.
contested election in, **9**. 747, 756, 758-759.
court days, **23**. 874, 885, 932, 946, 990.
disaffection in, **19**. 838-839.
dissenters discontented in, **9**. 622; object to clergy act, **9**. 682.
dues from sheriffs, **9**. 575.
erected, **5**. 1213.
franchise in, **10**. 211.
grain tax to be collected, **14**. 389-390.
Hinton made colonel of militia, **13**. 195-196.
in Hillsboro dist., **15**. 377.
J. P.'s in, **8**. 543; **9**. 71, 372; for, **23**. 995.
landholders to vote, **23**. 987.
location of militia, **22**. 585.
members in assembly, **9**. 143, 448, 735, 762, 875, 887, 1189; **12**. 12, 114, 169, 265, 337, 344, 549, 656, 857; **13**. 541, 684, 736, 785, 860, 986; **16**. 2, 26, 35; **17**. 265, 761, 795, 878; **18**. 2, 38, 227, 236, 238; **19**. 2, 130, 234, 303, 400, 489, 492, 718, 720; **20**. 2, 4, 120, 302, 476; **21**. 2, 194, 730, 872, 915.
members in conv. 1788 and 89, **22**. 4, 13, 39.
members in Prov. Cong., **9**. 1042, 1179; **10**. 166, 501, 505, 915, 916, 920, 922, 950.
militia in regulator campaign, **8**. 577, 584, 588, 590, 592, 594, 596, 597, 599, 670, 675, 677, 687, 697, 704; number on duty, **22**. 1045-6; officers, **22**. 923; ordered out, **22**. 580-1; officers elected, **12**. 600, 619, 707-708, 713, 714, 739; to be raised, **17**. 678.
money loaned to, **16**. 299.
nom. for capital, **22**. 29, 33.
officers, **9**. 298.
organization of troops, **10**. 207, 532.
owes State, **21**. 1067, 1070, 1079.
petition for new county from, **21**. 816, 986.
provisions impressed, **16**. 263.
recruits from, **14**. 179.
report on militia, **9**. 344, 689.
salt to be distributed, **10**. 690.
soldiers of petition Prov. Cong., **10**. 969, 972.
tax in, **19**. 707; **23**. 869; to be reduced, **21**. 937.
threatened by tories, **15**. 778.
troops in regulation campaign, **19**. 838, 839, 846, 847, 848, 849; to be raised in, **13**. 411; **14**. 29; **24**. 154.
wagon report wanted, **14**. 393.
Wake Courthouse, **9**. 307; **11**. 345, 346, 347, 348; **13**. 707; **14**. 419, 681; **15**. 236, 497, 502, 510, 552, 610; **16**. 107, 121, 139, 220, 779; **17**. vii, 885, 892, 964; **18**. 196, 805; **19**. 81, 266, 437, 689; **20**. 470; **22**. 542, 543, 544, 545.
assembly held at, **15**. 608; **17**. 794-978.
militia to rendezvous at, **22**. 580.
selected for capital, **20**. vi.
troops ordered to, **17**. 798, 802, 804, 885, 886, 887-888, 890.
Wake Cross Roads Church, **5**. 1182.
Wake District, recruiting officer for, **22**. 929.
Wake Forest College, **5**. 1182.
Wake Union Church, **5**. 1182.
Wakefield, Henry, Jr., asks for new county, **9**. 92.
Wakefield, Henry, Sr., asks for new county, **9**. 92.
Wakefield, John, prisoner, **15**. 393.
Wakefield, Moses, asks for new county, **9**. 92.
Wakefield, Rich., imported, **1**. 435.
Wakefield, Wm., army rank, **15**. 732; **16**. 1185.
Wakefield, Vicar of, **17**. 125.

Wakeley, George, bill to appoint com. in place of, **8**. 299, 338-339, 340, 348, 349, 390, 393, 394, 400, 429.
Wakely, Geo., church coms'r, **25**. 348, 349.
Wakely, Robert, dead, **23**. 803.
Waker, Silvanus, regulator, **8**. 79.
Waker of Ostanowa, signs treaty, **17**. 586.
Wakley, Robert, land grant to, **4**. 1039.
Walagea River, 24. 974.
Walb, Benjamin, petition on separation, **22**. 705-12.
Walb, James, petition on separation, **22**, 705-12.
Walbert, Christopher, petition on rent, **9**. 46-47.
Walbert, John, pardoned, **19**. 246, 247.
Walbutton, Jno., juror, **4**. 516.
Walch. See Walsh.
Walch, John, asks for new county, **9**. 92.
Walcher, Adam, petition on rent, **9**. 46-47.
Walcher, Catechet Daniel, pastor of Lutheran churches, **8**. 781.
Walcher, Daniel, gives land for church, **8**. 780.
Walcot (Walcott), Col., killed at Germantown, **11**. 647, 782.
Waldeckers, in Br. army, **10**. 452, 458.
Walden, David, army rank, **16**. 1190.
Walden, Drury, pensioner, **22**. 91.
Walden, Jacon, claim allowed, **22**. 403.
Walden, John, army pay, **17**. 256.
army rank, **16**. 1190.
pensioner, **22**. 91.
Walden, Thos., army pay, **17**. 259.
soldier, **18**. 797.
Walden's house, condemned, **7**. 703.
Walderp, Joseph, in militia, **22**. 166.
Walderson, Charles, boundary coms'r, **24**. 250.
Walding, Thos., in militia, **22**. 321.
Waldon, Charles, fine remitted, **21**. 1022-1023, 1031.
Waldon, John, claims allowed, **10**. 970.
Waldon, Thos., in militia, **22**. 322.
Waldrap, Joseph, petition on separation, **22**. 705-13.
Waldren, Thos., in army, **13**. 515.
Waldrew, Isaiah, petition on separation, **22**. 705-12.
Waldron, ——, **11**. 825.
Waldron, John, prisoner, **15**. 609, 630.
Waldron, Resolve, in militia, **22**. 264.
Waldron, Thos., army rank, **16**. 1181.
Waldrop, Jichonias, in militia, **22**. 160.
Waldrope. See Wardrope.
Waldrope, Jno., in militia, **22**. 370.
Waldrope, Luke, in militia, **22**. 394.
Waldrum, Charles, patroler, **10**. 63.
Wales, George, Prince of, 9. 295.
Wales, Pretended Prince of, 3. 67, 68, 69, 91, 109; **5**. 1107, 1108; **6**. 525, 526, 528; **8**. 513, 514; **23**. 525; **24**. 426.
Eng. act on in force in N. C., **23**. 325.
oath to be against, **21**. 858-862.
Wales, Princess of, dies, **9**. 292, 295.
Wales, Robert, to Dry on seizure of vessels, **7**. 177-178.
Wales, 3. 173.
trade regulations, **1**. 497-504.
Walesjoy, Hugh, asks pardon for Hunter, **9**. 86-87.
Walice. See Wallace, Wallis.
Walice, John, settler, **1**. 76.
Walker, ——, among Indians, **17**. 11.
Walker, ——, and tories, **16**. 535.
Walker, ——, **Brier & Craik, 15**. 68.
Walker, ——, depredations in Randolph, **16**. 203-205.
Walker, Mr., 5. 396.
Walker, Mr., 8. 690.
Walker, Mr., 11. 652.
Walker, Mr., 15. 643.
Walker, Mr., 18. 771.
Walker, Mr., contests election, **14**. 803.
Walker, Mr., detains letters, **16**. 246.
Walker, Mr., on Va. com. of safety, **11**. 276.
Walker, Mr., joins Br., **22**. 609.
Walker, Mr., prisoner, **19**. 843, 844.
Walker, Mr., to invade Cherokees from Va., **10**. 772.
Walker, Capt., 4. 258.
Walker, Capt., 6. 562.
Walker, Capt., 22. 433.
Walker, Capt., 24. 948.
Walker, Capt., arrests Mactier, **10**. 425-426.
Walker, Capt., commands militia, **14**. 614.
Walker, Capt., dead, **15**. 757.
Walker, Capt., in regulator campaign, **8**. 594, 674.
Walker, Capt., resigns, **13**. 69.
Walker, Capt., roster of co., **16**. 1005, 1015, 1031, 1043, 1051, 1057, 1066, 1077, 1103, 1113, 1114, 1125, 1135, 1146, 1157, 1171, 1185.
Walker, Capt. (Br.), recruits for Fanning, **16**. 212.

Walker, Col., **14**. 694.
Walker, Col., Jones to on Indian affairs, **15**. 153.
Walker, Col., ordered to seize powder, **10**. 9.
Walker, Comr., influence wanted, **3**. 379.
Walker, Madam, hogs stolen, **1**. 623.
Walker, Maj., **16**. 686.
Walker, Maj., lends money for use of troops, **11**. 686.
Walker, Maj., resolve in favor of, **12**. 250, 251.
Walker, Maj., sells goods to troops, **15**. 352.
Walker, Ann, petition, **19**. 662.
Walker, Anne, land grant to, **4**. 1255.
Walker, Andrew, pensioner, **22**. 91.
Walker, Benj., juror, **4**. 525.
Walker, Benj., quit rents of, **22**. 246.
Walker, Ben., reports on French duties, **17**. 608-23.
Walker, Ben., translator, **17**. 40, 41.
Walker, Buckley, pensioner, **22**. 91.
Walker, Caleb, in militia, **22**. 391.
Walker, Christian, petitions for lands, **4**. 954-956.
Walker, Christian, takes oath, **22**. 179.
Walker, Clement, promoted, **17**. 141.
Walker, David, petition on C. H., **9**. 806-809.
Walker, Felix, building coms'r, **24**. 645, 771.
town coms'r, **24**. 935.
Walker, Fitz., to Johnston on public affairs, **4**. 16-17.
Walker, Fran., in militia, **22**. 308.
Walker, Francis, in militia, **22**. 376.
Walker, Geo., commands the William and pay to, **22**. 403.
Walker, Geo., in militia, **22**. 381.
Walker, George, lieut., **10**. 320.
Walker, Green, pensioner, **22**. 90.
Walker, Henderson, **2**. 133.
a justice, **1**. 545.
appraiser, **1**. 393.
attorney, **1**. 388, 393, 408, 409, 414, 417, 420, 422, 425, 427, 432, 433, 436, 437.
boundary commissioner, **1**. 505-506-507, 508, 509, 513.
buys land, **1**. 495.
characterized, **1**. 547.
congratulates Nicholson, **1**. 512, 514.
death, **1**. 600.
deed from, **1**. 398.
enters caveat, **1**. 400.
Fowler to on boundary, **1**. 513.
gift to, **1**. 495.
gov. of N. C., **1**. 530.
law suits, **1**. 489, 493, 521, 549, 550.
length of residence in N. C., **1**. 571.
letter to Va. on Indian troubles, **1**. 570.
Nicholson to on boundary, **1**. 514-515; on pirates, **1**. 518-519.
on Coxe's patent, **1**. 528-529-530.
on rise of Quakers in Albemarle, **1**. xviii-xix.
pays debt, **1**. 435.
plantation of, **1**. 764.
signs commission, **1**. 575.
suit against as surety, **1**. 424-425.
to Bishop of London on Epis. Church, **1**. 571-573.
to Gov. Nicholson on boundary, **1**. 511-512, 513-514, 516-517.
vestryman, **1**. 543, 558, 568, 571, 596.
witness, **1**. 452.
Walker, Henry, in militia, **22**. 437.
Walker, Henry, land grant to, **4**. 892.
Walker, Henry, payment to, **22**. 441.
Walker, Hugh, voter, **15**. 237, 238.
taxable, **15**. 192.
Walker, J., **15**. 423.
Walker, J., payment to, **13**. 349.
Walker, J., receives pay for soldiers, **17**. 256.
Walker, J. S., explains attack on Hooper, **16**. 992.
Walker, James, **17**. 158.
Walker, James, allowance to, **22**. 860.
Walker, Jas., army rank, **16**. 1189.
Walker, James, bill for relief of, **20**. 522, 560, 570; **21**. 69, 80, 118, 122, 130.
Caswell to on Moore's will, **13**. 49.
claims pay for negro, **8**. 102, 138.
coms'r on building, **25**. 97.
deputy chm. Wilmington S. C., **10**. 298, 335.
discharged by Council of Safety, **10**. 873.
executor of Gen. James Moore, **22**. 1007.
gives certificate of service to Costin, **9**. 694.
messenger of Moore, **11**. 278.
number of votes for, **15**. 190.
on confiscation act, **15**. 203-205.
on S. C. of Wilmington, **9**. 1089, 1090, 1098, 1103-1104, 1111, 1112, 1113, 1118, 1120, 1122, 1126, 1127, 1128, 1135, 1143, 1149, 1150, 1166, 1168,

1170, 1185, 1222, 1265; **10**. 12, 15, 24, 50, 64, 68, 69, 72, 89, 112, 283, 334.
pètition on catching fish, **9**. 87-88.
robs Dent, **10**. 762.
surety, **10**. 411.
to Dry on seizure of vessels, **7**. 177-178.
taxable, **15**. 192.
voter, **15**. 237.
Walker, James, clerk to claims com., **22**. 824, 828, 829.
Walker, Jas., in militia, **22**. 373.
Walker, Jas., in militia, **22**. 382.
Walker, James, land of lapses, **2**. 318.
Walker, James, receipts bill, **22**. 462.
Walker, Jemmy, owns bills of Tallon, **16**. 997.
Walker, Jemmy, pardon of refused, **16**. 950.
Walker, Jeremiah, army pay, **17**. 256.
army rank, **16**. 1190.
Walker, Jesse, petitions, **19**. 934, 935.
Walker, Jo., petitions on roads and ferries, **5**. 164-166.
Walker, Joel, petition on C. H., **9**. 806-809.
Walker, John, a J. P., **5**. 996; dropped, **6**. 1008.
act for town on lands of, **24**. 611-13.
and flags of truce, **16**. 561, 583-584.
and tories and magistracy, **16**. 983, 984, 986, 991.
bill for supplies, **22**. 269, 460; for town on lands of, **19**. 529-530, 532, 535, 539, 564-565, 579, 662.
Burke to on returning tories, **16**. 188-189.
candidate and ambitions, **17**. 130, 131.
Caswell to on Br. prisoners, **13**. 314; on court commission, **18**. 740; on exports, **20**. 631; on paroles for tories, **13**. 255.
character, **17**. 167.
commissary and pays bills, **22**. 481.
coms'r, **19**. 121; of Brunswick, **16**. 168, 175; on boundary, **24**. 236; on building, **23**. 964; **24**. 19, 604; on confiscation, **24**. 662; on school, **24**. 690; to lay out road, **25**. 474.
condemns land for Ft. Johnston, **7**. 703-704.
contests election, **15**. 189; **19**. 511, 530, 548; **20**. 151, 159-163; **21**. 73, 112.
contributions to S. com., **10**. 437.
goes to S. C. and Ga. for confiscated property, **16**. 727.
in assembly, **21**. 191.
in regulator campaign, **8**. 585.
instigates arrest of tories, **16**. 968, 969, 972.
Martin to on conduct of courts and treatment of flags, **16**. 421-423.
militia captain, **22**. 166.
naval officer, **16**. 35, 37, 39; **19**. 15, 16, 18.
number of votes for, **15**. 190.
on Wilmington com. of secrecy and corres., **10**. 298.
petition, **16**. 23, 97, 100, 116; **17**. 287, 291, 305; **19**, 63, 78, 79, 554, 935; **20**. 19, 57, 329, 537, 551; **21**. 101, 120, 121, 282, 298, 322, 631, 642, 644, 748, 824, 835, 895, 1007.
sells horse, **19**. 928.
taxable, **15**. 192.
to Caswell on Br. flag of truce and manifesto, **13**. 297.
to deliver register, **21**. 246.
to Nash on tories, &c., **14**. 853-854.
violence and petition of, **16**. 945.
voter, **15**. 238.
Walker, John, ammunition delivered to, **10**. 328.
chairman of Tryon S. C., **10**. 161, 162, 164.
in Prov. Cong., **10**. 89, 166, 167, 172, 182, 186.
on character of Mills, **10**. 609-610.
on Tryon S. C., **10**. 120, 161, 296, 423.
signs Tryon Ass'n, **10**. 162.
Walker, John, army pay, **17**. 256.
Walker, John, army pay, **17**. 256.
Walker, John, army pay, **17**. 260.
army rank, **16**. 1180.
Walker, Jno., army rank, **16**. 1186.
Walker, Jno., army rank, **16**. 1190.
Walker, John, army record, **13**. 474.
Walker, John, asks for lands, **2**. 71, 451-452.
complaints, **2**. 472.
gives plantation, **2**. 66.
indicted as road overseer, **2**. 830, 833.
petitions about estate of Taylor, **2**. 450-451.
tax collector, **1**. 545, 560.
tax in hands of, **1**. 561.
vestryman, **1**. 829-831, 834; **2**. 12.
Walker, John, captain, **10**. 187.

Walker, John, captain, **10**. 187, 203, 955; resigns as capt., **10**. 292.
Walker, John, claims allowed, **6**. 214, 739, 742.
Walker, John, claims paid, **10**. 439.
Walker, John, court to be held at house of, **24**. 237.
Walker, John, courtmartialed, **12**. 465.
Walker, John, debts due by, **8**. 280-281; as sheriff, **9**. 574.
Walker, John, exempted, **5**. 1044.
Walker, John, exempted, **7**. 577.
Walker, Jno., in militia, **22**. 370.
Walker, Jno., in militia, **22**. 383.
Walker, Jno., in militia, **22**. 384.
Walker, Jno., in militia, **22**. 394.
Walker, John, in militia, **22**. 417.
Walker, John, jailed, **10**. 706.
Walker, John, juror, **4**. 525.
Walker, John, juror, **7**. 843.
Walker, John, juror, **25**. 186.
Walker, Jno., juror, **25**. 188.
Walker, John, leaves Indian lands, **25**. 507-9.
Walker, Jno., officer, **22**. 702.
Walker, John, pay to, **22**. 1014.
Walker, John, pensioner, **22**. 92.
Walker, John, petitions for division of Orange Co., **9**. 809-810.
Walker, John, petition on catching fish, **9**. 87-88.
Walker, John, petition on C. H., **9**. 806-807.
Walker, John, petition on C. H., **9**. 806-809.
Walker, John, petition on roads and ferries, **5**. 164-166.
Walker, John, protests against appointment of Hand, **11**. 750-751.
Walker, John, quit rents of, **22**. 246.
Walker, John, quit rents of, **22**. 247.
Walker, John, recommends Dixon, **15**. 708.
Walker, John, regulator, **7**. 737.
Walker, John, released, **14**. 461.
Walker, John, surety, **6**. 1045.
Walker, John, talks to Creeks, **10**. 330-331.
Walker, John, tries negro, **7**. 685-686.
Walker, John (Sheriff, Duplin), allowance to, **22**. 832.
Walker, Jno., Jr., in militia, **22**. 391.
Walker, John, Jr., lieut., **10**. 519.
Walker, John, Jr., petitions for division of Orange Co., **9**. 809-810.
Walker, John, Jr., signs ass'n of C. C., **9**. 1152.
Walker, Jos., army rank, **16**. 1185.
captain, **10**. 944, 949.
lieut., **10**. 546.
petitions, **19**. 935.
to Caswell on recruits, **11**. 595, 683-684.
Walker, Joseph, in militia, **22**. 164.
Walker, Major, in militia, **22**. 375.
Walker, Moab, army pay, **17**. 259.
Walker, Morris (Morrice), land grants to, **4**. 804.
represents and reports on Palatines, **4**. 850, 873.
Walker, Moses, army rank, **16**. 1184.
Walker, N., clerk, **22**. 1005.
Walker, Nethanel, in militia, **22**. 382.
Walker, Oliver, reprieved, **6**. 1009, 1017.
Walker, O'Neel, in militia, **22**. 391.
Walker, Philip, in militia, **22**. 382.
Walker, Philip, pay to, **22**. 1014.
Walker, Reuben, pensioner, **22**. 90.
Walker, Richard, army pay, **17**. 256.
Walker, Robert, a J. P., **4**. 447, 683.
coms'r of Wilmington, **23**. 134, 148.
criticises action of Rice, **4**. 1111, 1122.
land grant asked, **4**. 347, 348, 454, 455, 642-3; grant to, **4**. 349, 677, 704, 711.
recommended for council, **4**. 418.
rights proved, **4**. 596, 709.
road coms'r, **23**. 220.
sheriff of New Hanover, **4**. 1093.
summoned to assembly, **4**. 725.
to Dry on seizure of vessels, **7**. 177-178.
Walker, Robert, claims allowed, **22**. 403.
Walker, Robt., in militia, **22**. 396.
Walker, Robert, petition, **19**. 641, 644, 654-655.
Walker, Robert, prisoner, **15**. 169, **22**. 523.
Walker, Robert, regulator, **7**. 737.
Walker, S. Richd., army rank, **16**. 1188.
Walker, Samuel, act for land to, **24**. 629-30.
land grant to, **19**. 572.
Walker, Samuel, asks pardon for Hunter, **9**. 86-87.
Walker, Samuel, deposition on Pugh, **9**. 31.
Walker, Samuel, petition on catching fish, **9**. 87-88.

Walker, Samuel, recommends Welborn, **9**. 25-26.
Walker, Sherwood, in militia, **22**. 417.
Walker, Solomon, **22**. 155.
Walker, Solomon, army pay, **17**. 256.
army rank, **16**. 1184.
Walker, Sol., army rank, **16**. 1192.
Walker, Solomon, bill for town on lands of, **20**. 346.
Walker, Solomon, captain, **14**. 264.
Walker, Solomon, ensign, **10**. 518.
Walker, Solomon, in militia, **22**. 167.
Walker, Solomon, lieut. of light horse, **13**. 734*f*.
Walker, Solomon, takes oath, **22**. 169.
Walker, Solomon, takes oath, **22**. 175.
Walker, Stephen, asks terms of whigs, **22**. 213, 214.
skirmishes with whigs, **22**. 220, 238.
tory officer, **22**. 196.
Walker, T. Samuel, Jr., asks pardon for Pugh, **9**. 29-30.
Walker, Tandy, pensioner, **22**. 89.
Walker, Thos., **4**. 948.
Walker, Thos., army rank, **16**. 1180.
Walker, Thos., army rank, **16**. 1189.
Walker, Thos., case of, **22**. 868.
Walker, Thomas, claims on S. C. Survey, **9**. 302.
Walker, Thos., in militia, **22**. 373.
Walker, Thos., in militia, **22**. 437.
Walker, Thos., land grant to, **4**. 651, 712, 804.
Walker, Thos., witnesses agreement, **1**. 92.
Walker, Dr. Thos., on Va. boundary survey, **14**. 122, 354.
surveys boundary line of N. C. and Va., **16**. 587; **21**. 351.
Walker, Wm., **10**. 252.
Walker, Wm., action against sureties of, **6**. 1109, 1178, 1181.
claim allowed, **5**. 976; **22**. 825, 826.
memorial in favor of Smith, **6**. 58-60.
petitions on roads and ferries, **5**. 164-166.
receives notes for quit rents, **5**. 822.
Walker, Wm., army pay, **17**. 256.
Walker, Wm., army pay, **17**. 256.
Walker, Wm., army pay, **17**. 257.
Walker, Wm., army rank, **16**. 1187.
Walker, Wm., army rank, **16**. 1189.
Walker, Wm., army rank, **16**. 1192.
Walker, Wm., asks pardon for Pugh, **9**. 29-30.
Walker, Wm., Baptist minister, **5**. 1176.
Walker, Wm., dues from as sheriff, **8**. 280-281; **9**. 574.
sheriff, **9**. 502, 553.
Walker, Wm., in army, **15**. 726.
Walker, Wm., in militia, **22**. 374.
Walker, Wm., judgment against suspended, **17**. 417, 418.
Walker, Wm., land grant to, **4**. 628, 633, 638.
Walker, Wm., petition, **17**. 294; **20**. 22, 24, 110, 112.
Walker, Wm., petition on catching fish, **9**. 87-88.
Walker, Wm., recommends Pugh, **9**. 30-31.
Walker, Wm., reënlists, **15**. 750.
Walker, Wm., regulator, **7**. 737.
Walker, Wm., voter, **15**. 237.
Walker, Wm. L., pensioner, **22**. 92.
Walker, Willis, in militia, **22**. 391.
Walkers, John, capt., **10**. 287.
Walkers' Camp, **15**. 118.
Walker's Va. boundary line, **21**. 350-351, 353.
confirmed as boundary, **21**. 1033, 1034.
Walkersburg, act to establish, **24**. 611-613.
inspection at, **24**. 581.
Walkingford, Charles, regulator, **7**. 809.
Walkor, Joel, petition on C. H., **9**. 806-807.
Walkup's, battle, **22**. 730.
Wall, ——, reports on riots, **10**. 935.
Wall, Mr., book by wanted, **4**. 609.
Wall, Dr., History of, ment'd, **6**. 316.
Wall, Maj. Gen., **4**. 1309.
Wall, Benj., land grant to, **4**. 636, 707.
rights proved, **4**. 636.
Wall, David, in army, **13**. 523.
Wall, Ed., in militia, **22**. 338.
Wall, Garret, juror, **4**. 523.
land grant asked, **4**. 764.
Wall, Jacob, pensioner, **22**. 92.
Wall, Jas., army rank, **16**. 1196.
in artillery, **12**. 299.
lieut. artillery co., **15**. 735.
on clothes for artillery, **11**. 672.
Wall, Jesse, pensioner, **22**. 90.
Wall, Joel, army rank, **16**. 1187.
Wall, Joel, in army, **13**. 518.
Wall, Joel, in army, **13**. 527.
Wall, John, **24**. 249.
Wall, John, a J. P., **23**. 992.
Wall, Jno., army rank, **16**. 1190.
Wall, Jno., in militia, **22**. 382.

Wall, Jona., army rank, **16**. 1192.
Wall, Jonathan, pensioner, **22**. 90.
Wall, Jos., juror, **4**. 523.
land grant to, **4**. 333, 618.
Wall, Joseph, pensioner, **22**. 92.
Wall, Joshua, sells land warrant claim, **6**. 632.
Wall, Margaret, petition, **19**. 671, 699, 704.
Wall, Richd., army rank, **16**. 1191.
Wall, Mary, sells land, **24**. 528-9.
Wall, Michael, **24**. 528-9.
Wall, Richard, juror, **4**. 524.
land grant to, **4**. 619, 641.
Wall, Thos., army pay, **17**. 257.
Wall, Thomas, juror, **4**. 521.
land grant to, **4**. 619, 627, 635.
Wall, Wm., in militia, **22**. 333.
Wall, Wm., land warrant to, **6**. 632.
Wall, Wm., money from, **21**. 1065.
sheriff, **21**. 1077.
Wallace. See Walice, Wallas, Wallice, Wallis.
Wallace, ——, dealings with ment'd, **6**. 411.
Wallace, Mr., gets Gordon's library, **2**. 120, 128, 130, 310.
Wallace, Col., **22**. 143.
Wallace, Lieut., in N. C. battalion, **13**. 343.
Wallace, Maj., Sumner to on removal of public stores, **15**. 572.
Wallace, Aaron, army rank, **16**. 1192.
Wallace, Absalom, army pay, **17**. 259.
Wallace, Andrew, land grant to, **4**. 353, 642, 684.
Wallace, David, in conv. 1788, **22**. 1.
light house coms'r, **25**. 54.
Wallace, Ezekiel, memorial, **21**. 779, 782, 832, 942.
Wallace, Geo., army rank, **13**. 529; **16**. 1186.
Wallace, Gus. B., prisoner, **16**. 671.
Wallace, Guy, in militia, **22**. 160.
Wallace, Hugh, agent of N. C. in N. Y., **6**. 286-287.
bond of to be taken up, **6**. 449, 472.
pays money to Dunlop and others, **5**. 794, 795, 801.
Wallace, J., prisoner, **15**. 169; **22**. 523.
Wallace, Jas., army rank, **16**. 1187.
Wallace, James, in charge of public stores, **15**. 568, 574.
Wallace, James, in militia, **22**. 160.
Wallace, James, letter of submitted to assembly, **12**. 773, 826-827.
to keep resolves of safety committee, **10**. 137.
Wallace, James, shelters Pollock, **1**. 700.
Wallace, John, a J. P., **6**. 343.
Wallace, John, juror, **4**. 516.
land grant to, **4**. 281, 329.
Wallace, John, in army, **13**. 518.
Wallace, John, in army, **13**. 527.
Wallace, John, in assembly, **21**. 193, 201, 216, 234, 264, 288, 294, 305, 332, 346, 379, 382, 403, 411, 433.
in conv. 1789, **22**. 36, 47, 48.
Wallace, John, juror, **25**. 186.
Wallace, John, light house coms'r, **25**. 54-5.
Wallace, John, on S. C. of Pitt, **10**. 38.
Wallace, John, pay to, **22**. 491.
Wallace, John, pensioner, **22**. 89.
Wallace, Jno., property confiscated, **19**. 672; **24**. 263, 424.
Wallace, Lazrus, killed, **20**. 722.
Wallace, Michael, property confiscated, **19**. 672; **24**. 263, 424.
Wallace, Oliver, trial ment'd, **10**. 4, 7, 8.
Wallace, Richard, a J. P., **4**. 1239.
Wallace, Richard, army pay, **17**. 260.
army rank, **16**. 1188.
Wallace, Richard, in assem., **6**. 800, 801, 893.
on com. of assem., **6**. 805, 817.
Wallace, Rich'd, in militia, **22**. 341.
Wallace, Richard, removed as capt., **22**. 336.
Wallace, Robert, allowance to, **5**. 974-975.
bills to be burnt at house of, **5**. 1037, 1088.
land grant to, **4**. 1049.
witness, **5**. 611.
Wallace, Robt., in militia, **22**. 165.
Wallace, Robt., in militia, **22**. 326.
Wallace (Walace), Robert, land lapses, **2**. 354, 427.
Wallace, Saml., pensioner, **22**. 92.
Wallace, Thos., army rank, **16**. 1189.
Wallace, Thos., army rank, **16**. 1191.
Wallace, Thomas, in militia, **10**. 99.
Wallace, Thos., land grant to, **4**. 443.
Wallace, Valentine, exempted, **4**. 736.
land grant to, **4**. 851.
Wallace, Valent., Sr., land grant to, **4**. 803.
Wallace, Wm., a J. P., **22**. 719.
Wallace, Wm., in militia, **22**. 160.
Wallace, Wm., in militia, **22**. 357.

Wallace, Wm., land grant to, **4**. 64.
Wallace, Wm., pensioner, **22**. 91.
Wallace, Wm., prisoner, **14**. 710.
Wallace, Wm., takes oath, **22**. 174.
Wallace, Wm., to take deposition on lands, **17**. 666-667, 749.
Wallace, Wm. B., prisoner, **16**. 673.
Wallace's Corner, **25**. 111.
Wallaman (Waccamaw?), **14**. 618.
Wallanawah (Wallunawa), and Indian affairs, **22**. 997, 999, 1001.
Wallard, Corlin, reports on petition of, **13**. 616, 699, 729-730, 734.
Wallard, Jas., army rank, **16**. 1188.
Wallas. See Wallace, Wallis, etc.
Wallas, Jesse, regulator, **8**. 80.
Wallas, Ruben S., in militia, **22**. 428.
Wallen, John, exempted, **7**. 953-954.
Waller, Mr., **7**. 511.
Waller, Mr., letter of ment'd, **16**. 556.
Waller, Ann, property to, **1**. 394.
Waller, Benj., prisoner, **15**. 393.
Waller, Eliz., property to, **1**. 394.
Waller, Nathl., army rank, **16**. 1192.
Waller, Nathl., in militia, **22**. 164.
Waller, Nathl., pensioner, **22**. 89.
Waller, Nath'l, Sr., takes oath, **22**. 171.
Waller, Samuel, army pay, **17**. 259.
Waller, Thomas, regulator, **7**. 734.
Waller, Zephaniah, petition, **18**. 37, 49, 57, 186, 190, 267, 270, 289, 418.
Waller, Zephaniah, takes oath, **22**. 179.
Waller and Bridgen, **8**. 9; **9**. 995, 1070.
bill to exempt from confiscation, **19**. 435-436, 765, 772, 834.
debts due to confiscated, **16**. 389.
memorial on improvement of naval stores, **8**. 186-190, 212.
petition on exchange rate of bills, **6**. 16-17.
property confiscated, **19**. 672; **24**. 264, 424.
Wallers, Benj., exempted, **9**. 458.
Wallice. See Wallace, Wallis.
Wallice, Robert, on Cary Rebellion, **1**. 784-787.
Wallingford, N. Y., **9**. 1231.
Wallingforde, Thomas, importer, **1**. 395.
Wallis. See Wallace, etc.
Wallis, ——, claims, **4**. 699.
summoned as witness, **4**. 69.
Wallis, Abner, refuses to take oath, **13**. 446.
Wallis, Andrew, in militia, **22**. 393.
Wallis, Andrew, petitions for lands, **4**. 954-956.
Wallis, David, a J. P., **23**. 993.
Wallis, Edward, in militia, **17**. 1042.
Wallis, Francis, land grant to, **4**. 766.
Wallis, James, army pay, **17**. 256.
army rank, **16**. 1190.
Wallis, Jas., in militia, **22**. 360.
Wallis, Jas., in militia, **22**. 392.
Wallis, James, pensioner, **22**. 91.
Wallis, Jno., army rank, **16**. 1187.
Wallis, Jno., army rank, **16**. 1190.
Wallis, John, at court, **1**. 388.
petition, **1**. 305-306.
Wallis, John, in army, **13**. 514.
Wallis, John, in militia, **17**. 1061.
Wallis, Jno., in militia, **22**. 360.
Wallis, John, land grant to, **4**. 635; **6**. 80.
Wallis, John, pensioner, **22**. 89.
Wallis, John, petition, **20**. 667.
Wallis, Jno., quit rents of, **22**. 258.
Wallis, Jonathan, in militia, **22**. 358.
Wallis, Joseph, caveat for land issued to, **6**. 342.
Wallis, Oliver, pardoned, **8**. 149-150.
Wallis, Richard, juror, **4**. 517.
Wallis, Richard, land grant to, **4**. 1238.
rights proved, **4**. 1238.
Wallis, Robert, assistant justice, **1**. 423, 424, 427, 428, 434, 435, 438.
commends Adams, **1**. 730.
law suit, **1**. 387.
magistrate, **1**. 435.
Wallis, Robert, juror, **2**. 553; **25**. 187.
Wallis, Robert, surety, **6**. 772.
Wallis, Seren, land warrant to, **4**. 852.
Wallis, Stephen, in militia, **22**. 317.
Wallis, Thos., **4**. 660.
Wallis, Thos., on Carteret's line, **11**. 78, 95.
Wallis, Thos., quit rents of, **22**. 258.
Wallis, Thos., signs Pitt Asso., **10**. 221.
Wallis, Valentine, a J. P., **23**. 993.
Wallis, Val'ne, juror, **25**. 187.
Wallis, Valentine, land grant to, **4**. 594.
Wallis, Wm., asks relief from church tax, **9**. 95-96.
Wallis, William, dead, **1**. 864.
Wallis, William, infant, **1**. 864.
Wallis, Wm., land grant to, **4**. 589.
Wallis, Wm., petition on who are tithables, **9**. 97-98.
Wallis, Wm., work as Baptist, **5**. 1165.

Wallis' Bridge, 14. 312.
Walliss, John, land grants to, **4.** 803.
Walloway, Mary, petition, **2.** 392.
Walls, Elijah, petitions on land grants, **9.** 1260-1262; **11.** 250-252.
Walls, John, 10. 125.
Walls, Joshua, exempted, **6.** 899.
Walls, Joshua, in militia, **22.** 497.
Wallston, Philip, law suit, **2.** 100.
surety, **2.** 475.
Wallston (Walston), Wm., appraiser, **2.** 42.
grand juror, **2.** 98.
law suit, **2.** 106.
Wallwood, Andrew, petitions against Culpepper Rebellion, **1.** 305.
Walmsley, Edward, land grant to, **4.** 336.
Walnut Creek, bill to remove C. H. from, **6.** 1097, 1100, 1105, 1108, 1129, 1130-1131, 1145, 1163, 1167, 1178, 1182, 1202, 1203, 1228, 1233, 1276.
C. H. on, **23.** 495.
court to be held on, **5.** 1064.
Walnut Fork, 25. 466.
Walnut Street (Phila.?), 15. 737.
Walobone, Duke, petitions for division of Orange Co., **9.** 809.
Walpole, Mr., 4. 270.
Walpole, Horatio, Lord, 5. 167; **11.** 3.
arrears of salary due to, **9.** 654.
attends Board of Trade, **5.** 28.
auditor, **5.** 616, 617; and surveyor gen. customs, **11.** 34, 41.
auditor general, **5.** 19, 20, 21, 445, 1097; **22.** 259.
character of administration, **4.** vi.
dead, **6.** 600, 621, 764.
invited to attend Board of Trade, **4.** 1236-1237.
report to Lords of Treasury on Widow Johnston's claim, **5.** 21-23, 167; on Rutherford's letter ment'd, **5.** 821, 939.
surveyor and auditor general, **6.** 731.
to have papers on quit rents, **3.** 125.
Walpole, Sir Robert, 5. v; **9.** 985.
secy. of Privy Council and signs its orders, **11.** 211, 213, 215.
signs commission and instructions of McCulloh, **11.** 34, 41.
signs commission of St. John and Hammerton, **11.** 3, 6.
Walsh. See Walch.
Walsh, Capt., roster of co., **16.** 1015, 1031, 1044, 1052, 1057, 1066, 1077, 1091, 1104, 1114, 1125, 1130, 1136, 1141, 1146, 1158, 1171, 1185.
Walsh, Alex., army pay, **17.** 259.
Walsh, John, 10. 843.
caveat against, **6.** 635.
commands militia, **10.** 839.
in assembly, **7.** 571, 572, 585, 591, 594, 595, 600, 612, 625, 636, 650.
to guard Cross Creek, **10.** 732.
to value tory estates, **10.** 643.
witness, **10.** 957.
Walsh, John, allowance to, **22.** 826, 829, 838, 846.
Walsh, Jno., army rank, **16.** 1185.
captain, **10.** 943, 949.
Cont. capt., **22.** 1049.
officer, **18.** 486.
Walsh, John, recommended for lieut., **22.** 739.
Walsh, Robt., army rank, **16.** 1186.
Walsh, Walter, regulator, **7.** 734.
Walsom, James, a J. P., **5.** 813.
Walston, Elias, army pay, **17.** 260.
Walston, Philip, a J. P., **3.** 223.
juror, **4.** 522.
quit rents of, **22.** 243.
Walston, Philip, petitions for Windsor as C. H., **9.** 804-806.
Walston, Thos., pensioner, **22.** 90.
Walston, Thos., signs Pitt Asso., **10.** 221.
Walston, Wm., account of, **1.** 702.
supports pauper, **1.** 679, 680.
Walston, Wm., quit rents of, **22.** 243.
Walstone, ——, on our Saviour's miracles, **4.** 13.
Walston's, 2. 617.
Waltens, Wm., gun impressed, **22.** 413.
Walter, Dempsey, army rank, **16.** 1184.
Walter, James, settler, **1.** 76.
Walter, Jereh., army rank, **16.** 1193.
Walter, John, in army, **15.** 730.
Walter, Paul, pensioner, **22.** 91.
Walter, Thomas, suit against estate of Gibson, **6.** 765.
Walter, Wm., army rank, **16.** 1185.
Walters (Watters(?)), Mr., 22. 633.
Walters, Mr., owns lands in S. C., **4.** 259.
Walters, Capt., 16. 991.
Walters, Henry, building coms'r, **24.** 632.
Walters, Isaac, army pay, **17.** 259.
Walters, John, army pay, **17.** 257.
Walters, John, army pay, **17.** 257.
army rank, **16.** 1196.

Walters, John, land lapses, **2.** 355.
Walters, Joseph, army pay, **17.** 260.
Walters, Joseph, dropped as J. P., **6.** 1008.
Walters, Josias, land grant to, **4.** 329.
Walters, Moses, pensioner, **22.** 92.
Walters, Sam'l, a J. P., **23.** 993.
army record, **13.** 475.
owes State, **21.** 1072.
visits Nash, **14.** 838.
Walters, Walters, army rank, **16.** 1189.
Walters, Will, army pay, **17.** 256.
Walters (Waters), Wm., a J. P., **18.** 111, 413.
building coms'r, **24.** 845.
in assem., **19.** 233, 235, 262, 282, 286, 299, 324, 334, 354, 359, 410, 460, 463, 467, 387; **20.** 571.
nom. for C. C., **18.** 80, 114, 121, 313, 340, 347; **19.** 466, 471, 813, 817; **20.** 50.
to cancel certificates, **20.** 282.
Walters, Wm., army record, **13.** 475.
lieut., **13.** 476.
Walters, Wm., land grant to, **4.** 596.
Walters, Wm., S. C. boundary commissioner, **5.** 374-375; **6.** 776, 793.
Waltham, Jas., in militia, **22.** 340.
Walton, ——, **22.** 538.
Walton, Mr., introduced to Caswell, **13.** 270.
Walton, Capt., on board of rearrangement, **16.** 575.
rank, **16.** 665.
Walton, Col., **14.** 798.
delegate from Ga., **11.** 781.
position of regt. in army, **12.** 509.
Walton, Judge, expected in C. C., **20.** 603.
Walton, Lieut., a prisoner, **14.** 817.
on command, **12.** 512, 530.
on fatigue duty, **12.** 545.
on guard, **12.** 501, 502.
Walton, Chrisr., petitions on roads and ferries, **5.** 164-166.
Walton, Capt. Ewman, **16.** 517, 642.
roster of co., **16.** 1007, 1036, 1047, 1053, 1059, 1082, 1093, 1127, 1139, 1163, 1166, 1174, 1190, 1195.
Walton, George, certificates to drafted Quakers, **13.** 274-275.
Walton, Geo., pay to, **22.** 1015.
Walton, James Roper, building commissioner, **24.** 233.
Walton, Jane, claim allowed for proc. money lost, **8.** 102, 135-136, 137.
Walton, Jesse, **22.** 97, 136.
allowance to, **19.** 369.
commissary to troops against Indians, **13.** 542-543, 544, 555, 575, 640, 655.
coms'r to locate C. H., **12.** 597, 705; on town, **24.** 309.
dist. auditor, **24.** 373.
in assembly, **13.** 625, 681, 914, 933, 975, 980, 982, 988, 990, 1000.
made contractor on Cherokee expedition, **13.** 655, 661, 678, 682.
major, **10.** 532.
on com. of assembly, **13.** 536, 628.
on Surry S. C., **10.** 228, 230, 251, 255.
petition on C. H., **9.** 806-808.
takes prisoners to Hillsboro, **22.** 97-8.
to procure arms, **10.** 525.
witness to treaty, **17.** 586.
Walton, John, lieut., **17.** 967.
petition to assembly on pension and certificate of, **15.** 235.
Walton, John, Jr., petitions for Windsor as C. H., **9.** 804-805.
Walton, Joseph, in assembly, **5.** 232, 507, 522, 539, 670, 674, 677, 702, 706, 707, 718, 725, 847, 868, 876, 889, 900, 901, 1026, 1046, 1071; on com. of assem., **5.** 1043.
Walton, Nathaniel, regulators' entry on causes of, **8.** 239.
Walton, Nicholas, signs test, **10.** 297.
Walton, Palthias, in militia, **22.** 357.
Walton, Peletiah, declares independence, **10.** 612.
on Chowan S. C., **10.** 847.
Walton, Pelatian, petitions on county bounds, **9.** 633-634.
Walton, Richd., army rank, **16.** 1180.
Walton, Rich'd, in militia, **22.** 357.
Walton, Robert, memorial, **21.** 812, 848, 858, 976, 1038.
Walton, Robert, petitions on county bounds, **9.** 633-634.
Walton, Thos., a J. P., **4.** 1046.
in assembly, **4.** 485, 488, 493, 499, 506, 1181.
juror, **4.** 516.
land grant to, **4.** 643, 766.
Walton, Thomas, petitions on county bounds, **9.** 633-634.
Walton, Thos., quit rents of, **22.** 243.
Walton, Thos., quit rents of, **22.** 258.
Walton, Thos., recommended for militia, **9.** 689 *note.*

Walton, Timothy, a J. P., **5**. 824.
in assembly, **7**. 343.
inspector, **6**. 109, 138.
petitions on county bounds, **9**. 633-4; on trade, **5**. 321-324.
recommends Earle, **6**. 241.
Walton, Tim., in militia, **22**. 356.
Walton, Wm., a J. P., **23**. 995.
army record, **13**. 476.
Cont. capt., **22**. 1049.
in assem., **21**. 2, 3, 47, 52, 66, 74, 77, 110, 115, 121, 130, 133, 160, 168, 179, 190.
officer, **18**. 486.
rank, **16**. 71, 576, 608, 1185.
reports on Tatum's company, **15**. 726-727.
Walton, Wm., in militia, **22**. 312.
recommended for promotion, **22**. 329.
Walton, Wm., juror, **4**. 517.
Walton, Wm., quit rents of, **22**. 258.
Walton, Wm., to be made capt., **5**. 162.
Walton, Wm., Jr., in militia, **22**. 356.
Walton, Wm., Jr., juror, **4**. 517.
Walton, Wm., Jr., recommends Earle, **6**. 241.
Walton, Wm., Sr., in militia, **22**. 356.
Waman, Thomas, land grant to, **4**. 1043.
petitions on roads and ferries, **5**. 164-166.
Wambeldy, Robt., in militia, **22**. 338.
Wamble, Benj., army rank, **16**. 1183.
Wamble, John, army pay, **17**. 257.
Wammock, Jacob, a J. P., **11**. 653.
Wamon, Wm., in militia, **22**. 350.
Wampon, 1. 980, 981, 982.
Wando (Wandoe) River, 2. 869; **15**. 29, 30.
Wane. See Wayne, etc.
Wane, Jno., in militia, **22**. 321.
Wane, Jno., in militia, **22**. 322.
Wane, Thos., in militia, **22**. 321.
Wane, Thos., in militia, **22**. 321.
Want, ——, a pirate, in C., **1**. 475.
Wantland, James, land grant to, **4**. 602, 684.
rights proved, **4**. 598.
Wantland, Wm., bill for town on lands of, **17**. 320.
Wantland's Ferry, act for public buildings at, **25**. 330.
Wapataw (Wappetaw), S. C., 16. 536.
Wappetaw, Br. at, **14**. 801.
Wappoo, S. C., 15. 43, 44; **22**. 621.
attack on Br. at, **14**. 312.
Wappoo Creek, S. C., 15. 355.
Wappoo Cut, S. C., 14. 120.
Wappoo River, British at, **14**. 798.
War, Wm., exempted, **4**. 1025-1026.
War, instructions on conduct in time of, **5**. 1138-1139, 1142.
Quaker declaration on, **1**. 596; protest against, **1**. 628.
right to make, Proprietors questioned on, **1**. 341-2.
War Department (of U. S.), 15. 789.
burned, **11**. iv.
War expenses, act for ment'd, **22**. 967.
N. C.'s share of considered, **16**. 388, 398, 439.
payment of, **16**. 406-407.
War Ford, 21. 546, 640.
treaty to be held at, **20**. 551, 552, 582.
War King, talk of with Stuart and Barnard, **11**. 167-9.
War of 1812, difference from Rev. War, **19**. 979.
War Office, 13. 17, 42, 43, 75, 200, 201; **14**. 70, 73, 565; **15**. 136, 150, 414, 783; **16**. 8, 627, 629, 648, 653, 727, 927; **17**. 132, 1050; **19**. 252, 302, 948, 979; **20**. 614; **21**. 909; **22**. 806, 807.
letter from laid before assembly, **12**. 627, 720; **13**. 400.
McDonald to on his treatment while a prisoner, **15**. 764-765.
Martin to on brevet commissions, **16**. 994.
militia laws sent to, **13**. 8.
N. C. Cont. line not on records of, **25**. 9.
to Gates on arms, **14**. 533; on clothing, **14**. 551.
Warbarton, Jno., in militia, **22**. 338.
Warbinton, Wm., militiaman, **7**. 263.
Warbluten, Jno., in militia, **22**. 356.
Warborton, James, petitions for Windsor as C. H., **9**. 804-805.
Warburton, Solomon, army pay, **17**. 256.
army rank, **16**. 1191.
Warburton, Thos., rank, **16**. 1192.
Warburton's, Mrs., on post route, **7**. 149, 413, 454.
Ward, ——, 2. 152.
Ward, ——, shipmaster, **7**. 173.
Ward, Mr., 15. 499.
Ward, Mr., claims, **4**. 809.
Ward, Mr., distributes rum, **11**. 281.
Ward, Mr., ill, **10**. 615.

Ward, Mr., in assem., **20**. 480, 520, 534, 547; **21**. 7, 60.
Ward, Capt., **10**. 611, 742.
Ward, Capt., **22**. 336, 738.
Ward, Capt., **24**. 947.
Ward, Capt., ammunition to, **10**. 725.
Ward, Col., money to, **22**. 941.
Ward, Mr., assistant surgeon to Fergus, **10**. 663.
Ward, Capt., saves part of wreck, **10**. 984.
takes prize, **11**. 787.
Ward, Maj., **10**. 466.
Ward, A., estate taxed, **15**. 191.
Ward, Aaron, asks for new county, **9**. 92.
Ward, An, witness, **1**. 423.
Ward, Anne, executrix, **1**. 442-443.
Ward, Anthony, Caswell to on Br. prisoners and answer, **13**. 313-314, 321.
guards vessel, **13**. 56, 57.
lieut. col., **10**. 531.
presents petition from Carteret Co., **15**. 146.
on board to settle rank, **12**. 548.
sick, **14**. 35.
to Caswell on choice of officers, **13**. 4; on disputed election, **11**. 658; on flag of truce, **13**. 56; on flag of truce prisoners, **13**. 297.
to Dry on seizure of vessels, **7**. 177-8.
to subordinate militia to civil power, **13**. 314, 321.
to Tryon on Stamp Act proceedings, **7**. 242-243.
tries negro, **7**. 685-686.
Ward, Anthony, in militia, **22**. 385.
Ward, Anthony, petition on imprisonment of debtors, **5**. 754; on roads and ferries, **5**. 164-166.
Ward, Artemas, speaker, **18**. 585.
Ward, Benjn., a J. P., **23**. 993.
coms'r to locate pub. buildings, **24**. 880.
in assembly, **19**. 371, 375.
sheriff, **21**. 1078.
Ward, Benj., army rank, **16**. 1189.
Ward, Benj., gets land grant, **5**. 1093.
in assembly, **7**. 307, 343, 585, 629, 905, 963; **8**. 131, 145, 303; **9**. 391, 397, 447, 479, 498, 587, 725, 733, 752, 772, 836, 840, 881, 887, 902, 903, 931, 952; **12**. 288, 344, 345, 365, 368, 369, 375, 380, 399, 400.
in Prov. Cong., **10**. 913, 915, 943.
on com. of assembly, **7**. 345, 571; **8**. 118.
on com. Prov. Cong., **10**. 919.
slave of executed, **22**. 860.
Ward, Benj., in militia, **22**. 165.
Ward, Benj., in militia, **22**. 341.
Ward, Benj., in militia, **22**. 376.
Ward, Benj., poisoned, **22**. 856.
Ward, Benj., report on militia co., **22**. 369.
Ward, Boston, executed, **22**. 848.
Ward, Bryan, **21**. 1059.
buys goods, **18**. 464; **20**. 404, 405, 406.
debts of collected, **18**. 512.
delivers skins, **18**. 768.
demands of N. C., against, **22**. 801-2.
goods to, **18**. 525, 555.
holds mchdse, **20**. 962, 966.
pays debt, **20**. 701.
sales to, **17**. 582.
sells deerskins to State, **20**. 719.
Ward, Bryan, land grant to, **4**. 896.
Ward, Bryant, land grant to, **4**. 767.
Ward, Challingwood, Hyde on, **1**. 802.
sent to Eng. for trial, **1**. 806, 807.
to be seized, **1**. 778.
Ward, Charles, on S. C. of Duplin, **10**. 24.
in assem., **21**. 1, 3, 47, 51, 60, 66, 104, 125, 189.
in conv. 1788, **22**. 7, 26, 27, 31, 32.
town coms'r, **24**. 846.
Ward, Christopher, signs Pitt Asso., **10**. 222.
Ward, Collingwood, **2**. 217.
Ward, David, army pay, **17**. 259.
Ward, Demcy, in militia, **22**. 333.
Ward, Drewry, army rank, **15**. 720; **16**. 1182.
Ward, Ed., juror, **25**. 190.
Ward, Edward, a J. P., **4**. 330.
land grant to, **4**. 962.
road coms'r, **23**. 221.
Ward, Edward, commits Spaniards, **22**. 262.
Ward, Edward, exempted, **9**. 145.
Ward, Edward, in conv. 1789, **22**. 38.
Ward, Edward, lieut., **10**. 546.
Ward, Edward, on S. C. of Onslow, **9**. 1237.
Ward, Edward, sheriff, **4**. 953.
Ward, Edward, Jr., coms'r of fort, **23**. 293.
Ward, Edward, Jr., land grant to, **4**. 896.

Ward, Edward, Jr., dropped as J. P., **5**. 996.
warrant of escheat to, **5**. 32.
Ward, Edward, Jr., in militia, **22**. 337.
Ward, Edward, Sr., a J. P., **4**. 713, 1239.
Ward, Edward, Sr., in militia, **22**. 337.
Ward, Edward, Sr., land grant to, **4**. 804.
Ward, Elige, signs Pitt Asso., **10**. 222.
Ward, Elijah, army pay, **17**. 260.
army rank, **16**. 1188.
Ward, Elijah, army rank, **16**. 1193.
Ward, Enoch, a J. P., **2**. 459, 526; **3**. 244, 537; **4**. 47, 330, 346, 712, 966, 1038.
in assem., **2**. 608.
juror, **2**. 686.
Ward, Enoch, act for him to cut canal, **24**. 634.
allowance to, **22**. 837.
bill to cut canal, **19**. 569, 583, 584, 593, 701.
captain, **10**. 546, 634, 944, 949.
commands arrest of Wade, **22**. 895.
commands company, **10**. 687; at Beaufort, **12**. 99.
coms'r on canal, **24**. 538; on navigation, **24**. 403, 505.
in assem., **19**. 156, 179, 233, 235, 236, 262, 273, 282, 286, 295, 299, 300, 325, 326, 327, 334, 354, 359, 400, 401.
in Prov. Cong., **10**. 165, 166, 172.
opposes Spanish, **22**. iii.
to discharge Wade, **22**. 911.
to Caswell on exposed situation of Beaufort, **11**. 632-633.
to council of safety on rooms for troops, **10**. 739.
troops of supplied by Borden, **11**. 517.
Ward, Enoch, in militia, **22**. 341.
Ward, Enoch, in militia, **22**. 263, 265, 267.
Ward, Enoch, in militia, **22**. 310.
Ward, Enoch, juror, **25**. 190.
Ward, Enoch, removed as sheriff, **6**. 1013.
Ward, Enoch, vestryman, **25**. 209.
Ward, Francis, a J. P., **15**. 693.
Ward, Francis, a J. P., **23**. 994.
Ward, Francis, allowance, to **22**. 864.
Ward, Francis, clerk, **9**. 298.
Ward, Francis, estate of, **1**. 442-443.
Ward, Francis, in assembly, **5**. 232, 244, 521, 664, 677, 678, 691, 694, 695, 723, 726, 843, 868, 890, 903, 1027, 1028, 1053, 1074; **6**. 95, 124, 131, 133, 150, 159, 168, 169, 872, 873, 893, 902, 944, 945; **7**. 307, 342, 343, 571, 585, 629, 955, 956, 963; on com. of assem., **5**. 240, 523.
petition on trade, **5**. 321-324.
Ward (Warde), Francis, juror, **1**. 428, 430, 431.
Ward, Francis, lead mine on lands of, **10**. 927, 956.
payment to work lead mine, **10**. 698.
to procure arms, **10**. 525.
Ward, Fras., Jr., register, **9**. 298.
Ward, Garrett, pay to, **22**. 472.
Ward, Geo., in militia, **22**. 332.
Ward, Geo., in militia, **22**. 342.
Ward, Geo., quit rents of, **22**. 251.
Ward, Hannah, administrator, **1**. 452.
Ward, Hannah, to Martin on wives and children of tories, **16**. 467-469.
Ward, Hillery, army pay, **17**. 261.
Ward, Hugh, land grant to, **4**. 595.
Ward, Isaac, army pay, **17**. 260.
army rank, **16**. 1189.
Ward, J., on illicit trade to America, **1**. 439-440.
Ward, James, administrator, **1**. 452.
appraiser, **1**. 576, 871; **2**. 105.
juror, **2**. 89, 93, 95, 96, 261, 266, 473, 704.
law suit, **1**. 533.
pays witness, **1**. 533.
surety, **2**. 442.
Ward, James, army pay, **17**. 257.
army rank, **16**. 1184.
Ward, James, deserter, **11**. 795.
Ward, Jas., in militia, **22**. 351.
Ward, James, juror, **4**. 523.
Ward, James, juror, **25**. 185.
Ward, James, pensioner, **22**. 90.
Ward, Jas., quit rents of, **22**. 258.
Ward, James, surgeon and mate, **11**. 736.
Ward, Jane, to Martin on wives and children of tories, **16**. 467-469.
Ward, Jeremiah, in militia, **22**. 166
Ward, Jeremiah, pay to, **22**. 487.
Ward, Job, act to release from recognizance, **24**. 705-6.
bill to release from forfeit, **19**. 419, 454, 473, 730, 749, 751, 796, 819.
Ward, Job, army rank, **16**. 1183.
Ward, John, act to confirm land patent, **24**. 467.
Ward, John, appraiser, **1**. 443.

Ward, John, army pay, **17.** 256.
army rank, **16.** 1182.
Ward, Jno., army rank, **16.** 1190.
Ward, John, in army, **15.** 721.
Ward, Jno., in militia, **22.** 332.
Ward, Jno., in militia, **22.** 358.
Ward, John, juror, **2.** 266, 592, 593.
Ward, John, juror, **4.** 525.
land grant to, **4.** 588, 707.
Ward, John, officer, **22.** 702.
Ward, John, pensioner, **22.** 91.
Ward, John, petition, **16.** 47, 51, 76, 77; **19.** 22, 43-44, 47.
Ward, Jno., quit rents of, **22.** 257.
Ward, John, reënlists, **15.** 749.
Ward, John, rights proved, **4.** 636.
Ward, John, signs Pitt Asso., **10.** 221.
Ward, John, Jr., juror, **4.** 516.
Ward, John, Sr., juror, **4.** 516.
Ward, John, Sr., juror, **25.** 186.
Ward, John James, taxable, **15.** 192.
to Caswell on his services as physician to troops, **11.** 547.
voter, **15.** 238.
Ward, John L., pensioner, **22.** 91.
Ward, Jos., army rank, **16.** 1188.
horseman, **15.** 509.
in Davidson's co., **14.** 294.
Ward, Jos., in militia, **22.** 358.
recommended as capt., **22.** 336.
Ward, Kitty, to Martin on wives and children of tories, **16.** 467-469.
Ward, Ludwick, army rank, **16.** 1189.
Ward, Mary, allowance to, **22.** 856.
Ward, Mary, land grant to, **4.** 329.
Ward, Mason J., **14.** 597.
Ward, Michael, buys land, **4.** 34, 35.
Ward, Michael, dead, **9.** 296.
exempted, **5.** 1045.
juror, **4.** 516; **25.** 186.
Ward, Michael, quit rents of, **22.** 258.
Ward, Morris, J. P., **20.** 160.
Ward, Nathan, in militia, **22.** 324.
Ward, Nathan, memorial, **21.** 956, 957, 1034-1035.
Ward, Peter, army pay, **17.** 258.
Ward, Philip, appraiser, **2.** 290.
Ward, Phil., juror, **4.** 523; **25.** 188.
Ward, Richard, a J. P., **4.** 966, 1038.
in assembly, **7.** 307, 343, 390, 401, 654, 933, 963; **8.** 40, 106, 107, 132, 146, 303, 304, 318, 326, 345, 408, 422, 444, 454; **9.** 136, 139, 223; on com. of assembly, **7.** 571; **8.** 111, 309.
Ward, Richard, allowance to, **22.** 848.
Ward, Richd., army rank, **16.** 1187.
Ward, Richd., army rank, **16.** 1189.
Ward, Richard, coms'r of navigation and lottery, **23.** 510-11, 542-4.
recommends McCartney, **9.** 61-62.
road coms'r, **23.** 221.
Ward, Richd., in militia, **22.** 263.
Ward, Rich., in militia, **22.** 266.
Ward, Rich'd, in militia, **22.** 310.
report on militia co., **22.** 337, 341-2.
Ward, Robert, receives pay for soldiers, **17.** 256.
Ward, Sam'l, in militia, **22.** 358.
Ward, Samuel, takes oath, **22.** 178.
Ward, Sam'l, trade coms'r, **18.** 688.
Ward, Sarah, petitions, **2.** 328.
Ward, Session, camp at, **12.** 498, 499, 501.
Ward, Seth, a J. P., **22.** 918; **23.** 995.
Ward, Seth, in militia, **22.** 341.
on S. C. of Onslow, **9.** 1237.
to take depositions, **13.** 829.
Ward, Solomon, land grant to, **4.** 1047.
Ward, Solomon, patroler, **10.** 64.
Ward, Solomon, petition, **19.** 43-44, 47.
Ward, Thos., **22.** 401.
Ward, Thos., a J. P., **23.** 992; resigns as J. P., **18.** 18, 24, 254.
Ward, Thos., army rank, **16.** 1180.
Ward, Thos., army rank, **16.** 1183.
Ward, Thos., exempted, **9.** 458.
Ward, Thos., in militia, **22.** 356.
Ward, Thomas, juror, **4.** 516.
Ward, Thos., juror, **4.** 516.
Ward, Thomas, petitions on county bounds, **9.** 633-634.
Ward, Thos., quit rents of, **22.** 258.
Ward, Thos., trial, **10.** 6.
Ward, Thos., Jr., in militia, **22.** 358.
Ward, Thos., Sr., in militia, **22.** 358.
Ward, Timothy, army pay, **17.** 259.
soldier, **18.** 797.
Ward, Valentine, in militia, **22.** 263.
Ward, Valentine, in militia, **22.** 267.
Ward, Wm., allowance to, **19.** 378.
in assem., **21.** 2, 3 (?), 47, 52, 60, 66, 68, 74, 77, 81, 104, 109, 115, 121, 125, 130, 154, 160, 189.
money from, **21.** 1064.
nom. as treasurer, **13.** 766; **18.** 804.
sheriff, **21.** 1078.
Ward, Wm., army rank, **16.** 1185.
Ward, Wm., army rank, **16.** 1192.
Ward, Wm., captain, **10.** 518, 520, 637.
Ward, Wm., in militia, **22.** 352.
Ward, Wm., juror, **4.** 519.
Ward, Wm., juror, **4.** 523.

Ward, Wm., on com. of cor. of Johnston Co., **9**. 1032.
Ward, Wm., Patience delivered to, **7**. 183.
Ward, Wm., pensioner, **22**. 91.
Ward, Wm., petition on catching fish, **9**. 87-88.
Ward, Wm., prisoner, **16**. 673.
Ward, Wm., recommends Pugh, **9**. 30-31.
Ward, Wm., regulator, **7**. 736.
Ward, Wm., regulator, **7**. 736.
Ward, Wm., Jr., regulator, **7**. 736.
Ward, Willis, army rank, **16**. 1190.
Ward, Zack, court-martialed, **12**. 518.
to be executed, **12**. 535, 450.
Wardall, Thomas, on Barbadoes trade, **1**. 149-150.
on Council of B., **1**. 151, 157, 158.
Warde, Philip, imported, **1**. 420.
Wardell, John, **18**. 566.
Warden, Jos., officer, **22**. 702.
Warden, Peter, army pay, **17**. 260.
Warden (Worden), Peter, estate administered on, **2**. 71.
Wardens of poor, act for them to levy tax, **25**. 81-2; for them to recover public moneys, **24**. 739.
name changed from overseers, **24**. 498-9.
Wardrope. See Waldrope.
Wardrope, Edwd., pensioner, **22**. 91.
Wardroper, Thomas, arrears of salary due to, **9**. 654.
Wardroper, Thos., dead, **4**. 204, 222, 671.
in council, **4**. 22, 23, 30.
land grant to, **4**. 221.
recommended for council, **4**. 917.
returns plat of survey, **4**. 70.
Wardroper, Thos., salary as surveyor general, **22**. 259.
surveyor gen., **4**. 37-38.
Ward's, (Thos.), tobacco inspection at, **23**. 792.
Ward's line, **9**. 174.
Wardson, David, land grants to, **4**. 708.
Wardsworth, Ed., in militia, **22**. 353.
Ware, Mr., in conv. 1789, **22**. 47.
Ware, Capt., **16**. 501.
Ware, Geo., tailor, **15**. 477, 620.
Ware, John, Sr., pensioner, **22**. 90.
Ware, Joseph, to report on failure to muster, **12**. 482.
Ware, Wm., pensioner, **22**. 91.
Ware, Wm., quit rents of, **22**. 243.
Ware Point gut, **4**. 336.
Warehouses, act for inspection, **23**. 150-151, 152, 212-13, 336, 337, 507-8, 512-14, 548, 736-7, 741-4, 768-9.
bill for, **7**. 560, 562, 564, 584, 587, 593, 595, 598, 623, 625, 630, 669, 900, 904, 907, 921, 944, 947, 951, 959, 970, 977; to inspect, **21**. 25, 104, 110, 121; to remove to Halifax, **5**. 1004, 1005, 1006, 1008, 1009, 1010, 1011.
established for inspection of tobacco and list, **5**. xlii.
need of, **8**. xvi.
petition for inspection in Hillsborough, **8**. 80*a*; on one burnt, **6**. 537.
request that they be erected, **8**. 78.
system of relieves financial pressure, **8**. vi.
See also Tobacco.
Warf, Geo., army rank, **16**. 1190.
Warfden, Refus, receives oath, **4**. 666.
Warff, Thos., citizenship granted to. **13**. 937.
Warfield, Dr., **14**. 530.
clothing to, **14**. 715.
order to, **14**. 423.
Warham, Charles, pensioner, **17**. 1046.
Warham, David, prisoner, **17**. 1046.
Waring, Mr., Barnett to on church affairs, **7**. 161-163.
Waring, Benj., petitions to clear river, **21**. 92, 99.
to open Catawba, **24**. 961.
Waring, Richard, prisoner, **17**. 1046.
Waring, Thomas, Sr., prisoner, **17**. 1046.
Warley, George, prisoner, **16**. 671.
Warlick, Daniel, land grant to, **4**. 1046, 1240.
Warlick family, **8**. 756.
pioneers, **8**. 753.
Warlock, Daniel, co. coms'r, **23**. 770, 803.
Warm Springs, **5**. 1202.
character of people, **7**. 100-101.
Warmen, Rob., land grant to, **4**. 329.
Warner, Mr., **10**. 723.
Warner, Hardin, army rank, **16**. 1189.
pensioner, **22**. 89.
Warner, Jno., army rank, **16**. 1183.
in army, **13**. 520.
Warner, John, land grant to, **4**. 800.
Warner, Richard, land grant to, **4**. 675.

Warner, Samuel, juror, **2**. 466, 467, 666.
Warnock, Samuel, army pay, **17**. 256.
Warnor, John, land grant to, **4**. 628.
Warnor, Richard, land grant to, **4**. 638.
Warr, Wm., juror, **4**. 522.
Warrackeeks, removal of Indians to, **1**. 660.
Warrants, act on, **24**. 907; **25**. 21, 81.
bill on serving of, **21**. 763, 912-913.
detained, **17**. 422.
general, not to be granted, **22**. 18; **23**. 977.
report on, **17**. 334-335; **21**. 352, 356, 365, 368, 372, 382, 593, 600, 685, 692.
resolve on, **17**. 417; on treatment of cancelled w., **21**. 951.
rule on, **23**. 693.
Warrel, Jno., Jr., in militia, **22**. 282.
Warrel, Richd., in militia, **22**. 282.
Warrell, W. B., Baptist minister, **5**. 1183.
Warren. See Warrin.
Warren, Mr., error of in exchanging prisoners, **16**. 349.
Warren, Mr. (Mass.), extract from letter to, **10**. 249, 250-251.
Warren, Capt., **15**. 570.
Warren, Abraham, appraiser, **1**. 607.
bond nullified, **1**. 626.
juror, **1**. 582, 595, 608.
law suit, **1**. 593.
records stock, **1**. 493.
road overseer, **1**. 582, 618.
whips too much, **1**. 626.
witness, **1**. 532.
Warren, Abraham, juror, **4**. 517; **25**. 186.
land grant to, **4**. 764, 892.
quit rents of, **22**. 254.
Warren, Abraham, in militia, **22**. 321.
Warren, Archd., army rank, **16**. 1191.
Warren, Benj., quit rents of, **22**. 244.
Warren, Ed., in militia, **22**. 359.
Warren, Edwd., army rank, **16**. 1183.
Warren, Elizabeth, gives power of attorney, **1**. 620.
sells, **1**. 620.
Warren, Henry, appraiser, **2**. 43.
bond to, **1**. 620.
juror, **1**. 621.
sells, **1**. 620.
to be seized, **1**. 776-777.
Warren, Henry, in militia, **17**. 1057.
Warren, John, **1**. 523.
Warren, Jno., army rank, **16**. 1191.
Warren, Jno., juror, **25**. 187.
Warren, Joseph, exempted, **5**. 1045.
Warren, Jos. H., in militia, **22**. 270.
Warren, Mattw., army rank, **16**. 1184.
Warren, Richd., a J. P., **23**. 994; resigns as J. P., **20**. 141, 320, 324.
Warren, Richard, land grant to, **4**. 353.
Warren, Rich'd, vestryman, **23**. 7.
Warren, Robert, juror, **3**. 282, 319.
lapse patent to, **2**. 575.
Warren, Robert, juror, **4**. 525.
land grant to, **4**. 636, 641, 711.
quit rents of, **22**. 244, 245.
vestryman, **23**. 499.
Warren, Samuel, and exchange of prisoners, **16**. 661-2, 674-5, 727-9.
army rank, **16**. 1192.
on S. C. of Pitt, **10**. 62.
patroler, **10**. 63.
pay to, **18**. 541.
Warren, Wm., army pay, **17**. 258.
army rank, **16**. 1183.
Warren, Wm., in militia, **22**. 397.
Warren, Wm., juror, **4**. 523.
Warren, Wm., pensioner, **22**. 90.
Warren, Zebn., army rank, **16**. 1183.
Warren, countersign, **12**. 460.
Warren Co., **13**. ix, 968; **14**. 4, 158, 337, 379, 421, 422, 430, 449; **15**. 403, 418, 425, 429, 441, 444, 446, 447, 448, 451, 456, 457, 463, 476, 483, 486, 582, 611, 617, 621, 625, 670, 742; **16**. 27, 635, 636, 676, 1200; **17**. 664, 687, 766, 868, 965, 968; **18**. vi, 12, 20, 21, 37, 251, 252, 270, 276, 466, 497; **19**. 188, 311, 402, 412, 438, 514, 724, 741, 890; **20**. 6, 23, 231, 245, 392, 408, 435, 605, 775; **21**. 600, 1046; **22**. 111; **24**. 528, 529, 850, 860, 865, 872, 938; **25**. 64, 107; **26**. 1275, 1278, 1281, 1283.
act for poor house, **24**. 949-50; for tax for public buildings, **24**. 519, 542, 625, 699, 767; for town in, **24**. 293-4; on jurors, **24**. 273-5; on land entries, **24**. 258; to annex part of Granville to, **24**. 866; to change time of co. cts., **24**. 523-5, 717, 837; to destroy wild animals, **24**. 749-50; to establish, **24**. 227-30, 294, 303, 449; to sell granary in, **24**. 626.
Baptists in, **5**. 1181.
bill for public buildings, **19**. 137, 145, 153, 248, 258, 259, 269; **20**.

169, 339-340; for tax for public buildings, **19**. 417, 452, 472, 737, 745, 748, 757-758, 791, 819; for town in, **13**. 836, 839, 849, 861, 927, 929, 954; to add part of Granville to, **18**. 74-75, 104, 112, 302, 326, 338, 340; to alter time of court, **19**. 61, 190, 212, 278-281, 303, 316, 341; to sell granary in, **19**. 599, 609, 613, 659, 701.
census of 1790, **26**. 1188-1204.
delegates of in Congress, **5**. 1213, 1214, 1217.
grain tax to be collected, **14**. 390.
Hawkins, sheriff, **22**. 1046.
impressment of horses in denied, **15**. 603.
in Halifax dist., **15**. 377.
justices refuse to issue impressment warrants, **22**. 559.
members in assembly, **13**. 73, 736, 785; **16**. 2; **17**. 265, 795, 878, 903, 943; **18**. 2, 227, 229, 323, 439; **19**. 2, 130, 148, 234, 400, 489, 583, 718; **20**. 2, 4, 120, 125, 126, 302, 476; **21**. 2, 194, 730, 872.
members in conv. 1788 and 89, **22**. 3, 39.
militia officers, **20**. 273, 461.
no bounty to troops, **15**. 8.
orders to officers on movement of troops, **15**. 535, 547.
owes State, **21**. 1068, 1078.
population, **18**. iii, 433.
provisions from, **15**. 450.
report on troops wanted, **16**. 512.
riots in, **5**. lix.
tax in, **19**. 707.
Warren Courthouse, **16**. 634, 1201.
Warren Neck, **2**. 330.
Warrenton, James, petition. **20**. 529, 534, 541; **21**. 67, 83, 91, 100, 192.
Warrenton, **16**. 633, 635, 846, 884, 906, 907, 918, 925, 970, 972, 981, 982, 983, 984, 990, 994, 997, 1005, 1006, 1008, 1037, 1040.
act for academy in, **24**. 863-6; for coms'rs to sell lot in, **24**. 538, 626; for court to try N. C. line frauds, **24**. 787-91; for town at, **24**. 293-4; on issue of certificates on Cont. line settlements at, **25**. 75-6.
army settlements at ment'd, **21**. 846; **22**. 810-11.
bill for school in, **18**. 25, 44, 117-118, 259, 276, 292, 328, 345, 367; to repeal act to sell lot, **19**. 599, 609, 613, 659, 701; to save lots in, **16**. 27; **19**. 12; to sell lot, **19**. 191, 193, 195, 315, 316, 317, 321, 322.
mail facilities wanted, **21**. 855, 1029, 1041.
nom. as place for assem., **20**. 518; **21**. 64, 215, 585.
N. C. line frauds tried at, **20**. 232, 408, 409, 423, 424, 464.
petition from, **20**. 400.
report on army accounts settled at, **17**. 189-263.
troops to rendezvous at, **24**. 415.
Warrenton Academy, act to charter, **24**. 863-6.
Warrenton Academy Lottery, act for, **24**. 865-6.
Warrick's Landing, tobacco inspection at, **23**. 792.
Warrin. See Warren.
Warrin, Ed., Jr., in militia, **22**. 359.
Warrin, Hackley, asks for new county, **9**. 89.
Warrin, James, Jr., asks for new county, **9**. 89.
Warrin, James, Sr., asks for new county, **9**. 89.
Warrin, John, asks for new county, **9**. 89.
Warrin, Robert, summoned as witness, **6**. 999-1000.
Warrin, Samuel, on S. C. of Pitt, **10**. 38, 62.
Warrin, Timothy, asks for new county, **9**. 89.
petitions for division of Orange Co., **9**. 809-810.
Warrin, Wm., asks for new county, **9**. 89.
Warring, Jonathan, Jr., **9**. 1232.
Warrington (Warrenton), Jno., in assem., **19**. 393, 397, 400, 401, 460, 463, 467, 487, 510, 527; **20**. 2, 3, 39, 46, 68, 76, 79, 81, 82, 83, 89, 102, 112, 176, 302, 303, 328, 347, 350, 370, 372, 378, 380, 390, 395, 396, 438.
petition, **19**. 68, 69; from Tyrrell Co., **16**. 104, 105.
resigns as J. P., **19**. 441, 444, 778.
Warrior of Cowie, Indian, **10**. 784.
signs Cherokee treaty, **7**. 855.
Warrior of Tuxoi, at Indian Congress, **11**. 179.
Warrior's Ford, **13**. 115; **24**. 160.
Warsaw, **8**. 141.
Wart Mountain, **2**. 794.

Warters. See Waters, Watters.
Warters, Isaac, army pay, **17**. 260.
Warters, John, in army, **15**. 735.
Warters, Jno., in militia, **22**. 327.
Warters, Jno., in militia, **22**. 328.
Warters, Wm., in militia, **22**. 328.
Warters, Yabrie, deserter, **11**. 795.
Warton. See Wharton.
Warton, Ed., in militia, **22**. 352.
Warton, Ed., quit rents of, **22**. 251.
Warton, James, prisoner, **15**. 169.
Warton, Robt., in militia, **22**. 352.
Wartrace Fork, 24. 826.
Warwick, ——, Cumming, & Co., 21. 708.
books to be delivered up, **10**. 291.
Warwick, Anthony, denounced, **10**. 140.
signs receipt, **22**. 458.
Warwick, Anthony, & Co., books of seized, **10**. 696-697.
Warwick, George, army pay, **17**. 258.
Warwick, Jno., army rank, **16**. 1188.
Warwick, John, juror, **8**. 509, 510.
Warwick, Robert, army pay, **17**. 258.
Warwick, Shadk., army rank, **16**. 1189.
Warwick, Thos., army rank, **16**. 1186.
Warwick, Thos., in militia, **22**. 282.
Warwick, Wyatt, army pay, **17**. 257.
army rank, **16**. 1190.
Warwick, Va., **10**. 537.
Warwick Co., bill to erect, **9**. 162.
Warwick Co., Va., tithables in 1756, **5**. 565.
Warwick Court, 4. 560.
Warwick Creek, 24. 230.
Warwick Lane, 4. 560.
Wasdan, Zebulon, army pay, **17**. 260.
Washington, ——, 10. 389.
Washington, Major, rank settled, **12**. 528.
Washington, Ephraim, resolve in favor of, **17**. 869, 968, 969.
Washington, Ephraim, take oath, **22**. 168.
Washington, Ethd., army rank, **15**. 726; **16**. 1183.
reënlists, **15**. 750.
Washington, George, 5. x, xii, xiv, xv, xvi, xvii, 129, 796; **8**. xxxii, xxxiii, 733; **9**. 1156; **10**. xl, 484, 731, 850, 904, 910, 1036; **11**. xi, xii, xiii, xv, xvi, 346, 381, 383, 385, 431, 446, 452, 454, 457, 490, 503, 507, 514, 518, 529, 559, 570, 574, 593, 594, 608, 621, 623, 636, 641, 642, 644, 647, 648, 652, 657, 659, 661, 662, 667, 668, 676, 677, 681, 705, 728, 729, 734, 749, 781, 785, 789, 800, 801, 803, 804, 807, 818, 820, 823; **12**. iii, 9, 12, 14, 80, 131, 132, 133, 134, 136, 156, 278, 285, 290, 293, 294, 295, 296, 298, 318, 466, 498, 501, 502, 510, 518, 532, 540, 543, 544, 545, 558, 575, 638, 661, 678, 741; **13**. ix, x, 29, 31, 42, 67, 76, 137, 141, 157, 167, 168, 197, 224, 225, 226, 227, 228, 236, 250, 264, 287, 355, 372, 382, 385, 388, 403, 464, 471, 478, 484, 485, 531, 652, 980; **14**. vii, viii, 159, 199, 213, 219, 230, 231, 500, 539, 590, 597, 598, 611, 631, 701, 765, 830, 853, 858; **15**. viii, 32, 113, 121, 122, 170, 195, 216, 234, 291, 319, 379, 412, 536, 556, 561, 588, 661, 707, 709; **16**. iii, 8, 317, 391, 450, 455, 503, 574, 643, 675, 685, 732, 774; **17**. 35, 82, 628, 732, 990, 993, 1013; **19**. 28, 241, 496, 876, 881; **20**. iii; **21**. iii, 550, 552, 561; **22**. 115, 118, 149, 153, 586, 730, 762, 763, 764, 779, 780, 781, 905, 910, 911, 920, 948, 983, 1007; **24**. 445, 501.
address of army to and his reply, on pay, **16**. 826-832.
advances on N. Y., **14**. 216.
appoints Greene to So. Dept., **15**. xiv.
arrives in south, **22**. 595.
at N. Y., **10**. 679.
attacks Howe, **11**. 649, 654, 659.
captures Br. reg't, **13**. 149.
Carleton and Digby to on peace, **16**. 385-386, 409.
Carleton to on treaty and evacuation of N. Y. and answer, **16**. 867, 871-4, 875-7.
Caswell to introducing Forbes, **11**. 699; Mountflorence and Duvivier, **13**. 220-221; on clothing and Cambray, **13**. 121-122; on clothing, &c., for N. C. troops, **13**. 46; on French officers and French regiment, **13**. 230, 231, 232; on resolution on resignations, **11**. 812.
certificate on Ramsey's steamboat, **17**. 182, 183, 184.
Clark to on resignation of Nicholson, **14**. 316.
collects army in N. Y., **10**. 749, 752.
command given to, **5**. 434.
commands army at Brandywine, **11**. 620-623, 625-626.

com. on reasons why 10th reg't failed to join, **12**. 266-7, 270.
contrasted with Howe, **10**. 818.
Cornwallis surrenders to, **15**. 657.
correspondence of and list of officers from, **18**. 485-486.
countermands orders to N. C. troops, **14**. 347, 352.
crosses mountains, **5**. 135.
defeats British, **10**. 815.
directs movements of French, **13**. 197.
Dinwiddie to on French war, **5**. 124-125, 134-135.
does not attack Br., **22**. 974.
efforts to induce him to surrender, **11**. 660; to insult, **11**. 384.
exchange of prisoners proposed to, **13**. 126.
extracts from letters of, **14**. 326-327, 330-331, 355-356; **15**. 25-47, 65-66, 173-5, 379-85, 702, 768; **22**. 1049; from Marshall's Life of, **7**. 121-122; from order books of, **14**. 331, 332.
follows Clinton, **13**. 195.
forbids visits to Phila., **12**. 479.
Gates to on movements and condition of troops, **15**. 65-66.
general orders on King's Mtn. victory, **15**. 131-132.
goes north, **15**. 656.
Greene to on condition of army, prisoners, &c., **15**. 173-175; on movements and condition of army, **15**. 184-186.
Hogun to on his march south, **14**. 798; on troops, **14**. 290; **15**. 767.
Howe to on army affairs, **14**. 330-331; on his movements, **14**. 289, 295.
in Phila., **22**. 970.
instructions to, **5**. 635.
issues orders for burial of Gen. Nash, **11**. 651.
leaves N. Y. city, **10**. 801, 802, 810, 811.
Lee quarrels with, **13**. 197; to on Amer. affairs in N. Y., **10**. 430-431; on defence of Sullivan's Island, **10**. 618*a*-618*c*.
letters of laid before assembly, **12**. 627, 720; **13**. 400, 401; on exchange of prisoners ment'd, **14**. 793.
Lincoln addresses report on defense of Charleston to, **15**. 25-47.
Lives of quoted, **5**. xiv, xv, xvi.
location and condition of army, **10**. 817; and movements, **14**. 563, 564; and number of troops, **15**. 291; at White Plains, **13**. 211.
Loretz preaches on death of, **8**. 755, 756.
Martin to on movement of N. C. troops, **15**. 702.
memorandum of distances for tour of, **15**. 379-383.
militia offered to, **13**. iii.
moves south, **15**. 642; to Va., **22**. 588.
Nash to on army and prisoners, **15**. 176-177; on proceedings of field officers and court martial, **11**. 751-753.
North and South Carolina troops to join, **11**. 374, 375, 705.
on embarkation of British, **16**. 391.
orders court of inquiry for Gates, **15**. 93.
orders to by C. C., **11**. 383; to Nash's brigade, **11**. 757.
papers, extracts from, **13**. 428, 445, 451, 457, 458, 480-481, 496-498, 503.
pardons deserters, **12**. 484.
passes through Phila., **11**. 756.
Patten to on difficulties of recruiting, **11**. 714.
plot against, **10**. 617; **13**. 61.
Polk to resigning commission, **13**. 451.
position, **13**. 4; and movements, **22**. 971, 972, 978; on tories, **16**. 974.
President, **22**. iii; of Phila. convn., **18**. 792; **20**. 776, 777.
promotions of N. C. troops under, **11**. 788.
quarrels, **5**. 562.
reflections on letter of on gov't, **17**. 35-36, 39.
refuses to serve under Dagworthy, **5**. xix.
reinforced, **11**. 636, 639, 642, 648, 650; **22**. 974; by Gates, **11**. 677, 681, 693, 801, 806, 809; from Va., **11**. 694.
remonstrates against recall of Sullivan, **11**. 622.
report on clothing needed by troops, **11**. 784; on French, **5**. 172-3, 577; on losses at Bunker Hill, **10**. 115.
reprint from Life of, **7**. 1.
returns of Cont. army under, **13**. 365-366, 377, 391, 410, 423, 428, 445, 457, 458, 487-488, 503; of N. C.

troops under, **11**. 667, 676, 690, 700, 703, 729; **14**. 360-363, 365-375; **15**. 768.
reviews troops, **9**. 1248.
sends Gates to Boston, **22**. 986; tories to Howe, **11**. 596; supplies to officers in Phila., **15**. 404.
sick, **22**. 634.
size of army, **11**. 809; **15**. 58.
skill praised, **16**. 296, 302.
skirmishes with French, **5**. 766.
strength, **15**. 309, 310.
success ment'd, **11**. 375.
Sumner to on affairs of So. army, **17**. 1048; on movements in N. C., **15**. 655.
suppresses mutiny, **16**. 852.
surprises French, **5**. 368.
thanks troops for Cont. Cong., **12**. 500.
threatens Howe, **11**. 650; N. Y., **13**. 464.
to be consulted, **5**. 132, 134.
to Burke on bounties for troops, **14**. 59-60.
to Caswell on exchange of prisoners, **14**. 37-38.
to complete reg't, **5**. 133.
to Cont. Cong. on movements of Howe and Nash, **11**. 739; on N. C. troops for the south and clothing, **14**. 356-357.
to Dinwiddie on commanders and rank in French war, **5**. 128-129; on French war, **5**. 136-137.
to exchange prisoners, **14**. 551.
to Hancock on battle of Germantown, **11**. 642-644, 779.
to Henry on movements of British, **11**. 436-437.
to Martin on form and character of gov't, **16**. 813-823.
troops ordered to join, **11**. 530, 566, 602, 603, 605, 615, 833, 834; ordered north to join, **11**. 397, 408, 411-412, 424-426, 427, 444, 456; to be sent to aid of, **12**. 12-13, 14-15, 59-60.
visits Salem, **5**. 1157.
watches Howe, **11**. 352.
Wayne to on battle of Stoney Point, **14**. 327-330.
wins battle of Princeton, **11**. 368; of Trenton, **11**. 366, 368.
Washington, James, a J. P., **4**. 966.
in assembly, **4**. 855, 985, 1058; **5**. 41, 43, 44, 58, 61, 62, 232, 241, 244, 521, 533, 697, 847; **6**. 364, 367; on com. of assembly, **5**. 39, 54, 240, 284, 523.
on com. on propositions and grievances, **5**. 55.
takes bond of Edwards, **6**. 981.
vestryman, **23**. 499.
Washington, Jno., petitions, **19**. 935.
Washington, John, petition on trade, **5**. 321-324.
Washington, Richard, abused by Stoneham and Braswell, **2**. 407, 408, 414.
affidavit on Va. boundary, **1**. 739.
discharged by court, **2**. 700.
exempted, **4**. 989-990.
land lapses, **2**. 426.
recognizance cont'd, **2**. 663, 672.
quit rents of, **22**. 244.
Washington, Robert, adjutant, **10**. 517.
Washington, Robert, claims paid to, **5**. 795.
Washington, Robert, lieut., **10**. 517.
Washington, Col. William, **14**. 504, 508, 510, 837, 843; **19**. 961, 962; **22**. 93, 96, 124, 125.
at Council of War, **15**. 160-161.
at Guilford C. H., **17**. 1004.
captures Hamilton, **15**. 386.
cavalry of, **22**. 124; not equipped, **15**. 66.
condition of troops, **14**. 839.
exchange desired, **16**. 319.
goes to Charleston, **15**. 333; to Rowan, **14**. 423; to Waxhaw, **14**. 764.
in Halifax, **14**. 410, 862.
location and movements, **15**. 306, 307.
losses at Eutaw Springs, and prisoner, **15**. 637, 638.
makes prisoners, **15**. 174.
movements, **15**. ix; **16**. iv; **19**. 969, 990.
opinion on location of army, **14**. 755.
ordered south, **15**. 26.
prisoner, **16**. 671.
pursues Tarleton, **16**. iv.
quoted, **16**. 179; on Burke's parole, **19**. 916.
retreats to Wilmington, **14**. 830.
sent to aid of Lincoln, **14**. xii; to Broad River, **15**. 184.
to —— on condition and movement of troops, **14**. 807.
to send flag to Br., **14**. 835.

troops under not ordered to march, **14**. 664.
wants clothing, **14**. 742-743.
with Morgan and movements, **17**. 981.
work at Guilford C. H., **15**. 430.
Washington, Wm., army rank, **16**. 1181.
Washington, Wm., army rank, **16**. 1186.
Washington, Wm., in militia, **22**. 379.
Washington, Wm., petition on who are tithables, **9**. 97.
Washington, Wm., recommended as ensign, **11**. 597.
Washington, Wm., takes oath, **22**. 169.
Washington, Wm., Jr., exempted, **9**. 461.
Washington (town), **10**. 877; **11**. 637; **13**. 605; **14**. 184, 457; **15**. 379, facing 380, 382; **16**. 193, 194, 339, 587; **17**. 478, 505, 510, 582; **18**. 64, 65, 518, 524, 525, 555, 567, 575, 576, 579, 593, 598, 603, 621, 624, 636, 638, 679, 744; **19**. 41, 143, 154, 158, 255, 256, 269, 273, 506; **20**. 136, 140, 151, 318, 404, 452, 453, 621, 626, 640, 650, 680, 682, 686, 687, 688, 698, 699, 700, 716; **21**. 459, 467, 473, 476, 479, 516, 532, 563, 566, 639, 692, 724, 725; **22**. 596, 597, 598, 599; **24**. 531; act for road to, **24**. 531-2; on navigation, **24**. 502-8, 592; to annex land to and tax for, **24**. 618; to change court from, **24**. 764-5; to establish, **24**. 458-9; to establish maritime ct. in, **24**. 686-8; to restrain slaves in, **24**. 725-30.
and post route, **16**. 737.
arms landed at, **15**. 337.
auctioneer for, **24**. 559.
bill for public buildings and court, **20**. 54, 72, 94; on court in, **21**. 225, 239, 396, 599; to annex lands to, **19**. 535, 538, 541, 550, 571, 579, 662; to change court to, **17**. 317, 331, 344, 360, 369, 398; **19**. 446, 757, 781; to establish maritime court, **18**. 199, 399; to incorporate m'f'trs, **21**. 243, 265, 307, 318, 621, 688; to regulate, **21**. 243; to regulate slaves, **17**. 346, 368-369, 382, 385, 414; **20**. 77, 106; to save lots in, **17**. 279, 329, 346.
collector for, **17**. 80.
inspection at, **24**. 581.
maritime judge elected, **20**. 523, 538; **21**. 70.
petition against paper money, **17**. 364.
pork at, **13**. 253.
prisoners of tories sent to, **22**. 585.
prizes brought into, **15**. 573.
provisions stored at, **11**. 602.
tobacco at to be impressed, **22**. 526; not sent to, **22**. 602; to be delivered at, **22**. 598, 604, 605; **24**. 813.
vendue master for, **18**. 172, 174, 181, 391, 397, 413.
Washington, D. C., **4**. xxi; **5**. 1159; **10**. 29; **11**. v, 757, 761, 836; **13**. 476, 480, 481; **14**. 331, 374; **17**. 1038, 1047; **19**. 955; **22**. 93, 94, 95, 101, 106; **26**. iii, 1248.
captured and burned by British, **11**. iv.
N. C. historical material in, **11**. iv.
Washington, Mount, Howe to seize, **10**. 910.
Washington, brig, **13**. 94, 95.
Washington, galley, condition, **14**. 126.
offered to N. C., **14**. 136.
sale ordered, **11**. 825.
to be sold, **12**. 420, 422.
Washington, ship, **16**. 764; **17**. 20.
materials of the Caswell transferred to, **15**. 220.
Washington, vessel, **10**. 803.
Washington Co., Baptists in, **5**. 1177.
Washington Co., Ind., Lutherans in ask for ministers, **8**. 779.
Washington Co., Md., **13**. 87.
Washington Co., Tenn., **12**. 641, 750, 796; **14**. 146, 246; **16**. 588, 697, 698, 959; **17**. 110, 115, 428, 545, 650, 697, 732, 787; **18**. 94, 497; **19**. 898; **20**. 130, 218, 347, 396, 401, 623, 646, 648, 689; **21**. v, 144, 176, 183, 288, 389, 401, 424, 429, 430, 497, 658, 648; **22**. 674, 680, 689, 692, 699, 701, 714, 725.
act for new station, **24**. 974-5; **25**. 63; for road from, **24**. 135-6; for tax for pub. building, **24**. 149, 594; for town in, **24**. 309-10; on elections to assembly, **24**. 765-6; on jurors, **24**. 302; to add part to Sullivan, **24**. 974; to change time of co. cts., **24**. 460-1, 688-9; to divide, **24**. 539-40; to erect out of Wash. Dist., **24**. 141-2; to fix place for pub. buildings, **24**. 880-1; to go into Morgan Dist., **24**. 451; into

Wash. Dist., **24**. 689-90; to incorporate academy, **24**. 536; to legalize acts of co. ct., **24**. 908; to pardon Franklinites, **24**. 820, 915, 955; **25**. 10; to quiet titles in, **24**. 353-4, 383; to secure rights and divide, **24**. 300-2, 333.
aids in King's Mtn. battle, **15**. 100, 101, 104, 116, 163.
allowance for salt in, **17**. 767, 769.
bill for administration of, **21**. 41, 117; for adm. of justice and mil. affairs, **20**. 524; for education in, **22**. 726; for road through, **12**. 180, 185, 191, 192-193, 225, 226, 227, 255, 348, 355, 356-357, 365, 402; **13**. 358; for town in, **13**. 558, 599, 604, 709, 715, 844, 887, 933, 941, 977; on election of members of assem., **20**. 96, 101, 112; on suits in, **20**. 577; to alter place for holding court, **18**. 91, 135, 158, 171-172, 183, 326, 358, 378, 380, 392, 394, 400; to change form of election in, **17**. 402, 404, 407, 419; to divide, **16**. 104; **19**. 70, 135, 146, 152, 245, 246, 260, 261, 265; **20**. 500, 530, 557, 558, 576; **21**. 33, 37, 45, 58, 216, 583, 587, 688-689, 804, 972, 978, 987, 1002, 1011-1012; to divide and secure rights of citizens, **13**. 853-854, 864, 868, 951, 959, 965; to erect out of W. District, **12**. 142, 145, 148, 150, 152, 170, 172, 186, 218, 220, 221, 254, 303-304, 308, 314, 339, 395; **13**. 357; to join part to Sullivan, **21**. 60, 76, 85, 114, 122, 239, 601, 603; to pardon Franklin leaders, **18**. 89, 112, 130, 200, 322, 354, 355, 416, 440; **20**. 169, 171, 223, 235, 273, 277, 284, 346, 409, 444-445, 459-460, 465, 503, 512, 553-554; **21**. 42, 43, 56, 64, 73, 77, 110, 114-115, 218, 221, 222, 230, 231-232, 239, 256, 285-286, 586, 588, 594, 598-599; **22**. 728-9.
Caswell to officers of on Franklin State, **20**. 707-709, 712; **22**. 685-7, 688.
clothing for troops due from, **12**. 639, 747.
com. to fix location of C. H. in, **12**. 597, 705.
complaints of people, **17**. 270, 274.
court for, **22**. 671; **23**. 990, 995, 996; **24**. 16, 35, 164, 387, 422, 427, 566; **24**. 451.
declares independence, **19**. 940.
drafts from, **14**. 874.
entry taker to refund land money, **24**. 161; for lands within Cherokee limits, **13**. 116.
fear of Indians in, **13**. 252.
field and civil officers, **22**. 702-3.
forms Franklin State, **17**. 435-436, 439-445, 446, 464, 472.
in Salisbury Dist., **15**. 377.
Indian outrages in, **13**. 283; **14**. 133.
judge for, **18**. 451, 459.
jurors in, **12**. 875.
land entries in, **20**. 97-98, 108.
Martin's proc. to on Franklin State, **22**. 642-7.
members in assembly, **12**. 656, 674, 677, 682, 724, 725, 851, 870; **13**. 625, 736, 785, 825, 914; **15**. 221; **16**. 2; **17**. 265, 639, 722, 795, 878; **18**. 2, 6, 227, 230, 238; **19**. 2, 30, 130, 234, 238, 286, 400, 489, 718; **20**. 2, 120, 142, 302, 326, 476, 599; **21**. 2, 194, 584.
members in conv. 1788 and 89, **22**. 3, 39.
memorial from, **21**. 359, 686, 694.
militia called out, **17**. 962, 965; fines remitted, **20**. 598, 599.
officers elected for, **16**. 148, 175.
owes State, **21**. 1068, 1069, 1078.
paid for Indian service, **21**. 184-185.
petition from, **18**. 4, 32-33, 51, 85-86, 96, 236, 242, 262, 284, 324; **19**. 502, 513.
protection of considered, **12**. 409.
rangers to be stationed in, **12**. 160, 334-335.
report on petition from, **22**. 653-5.
resolve on land entries in, **17**. 409.
restriction on granting of lands in, **12**. 238.
subject to incursions from Indians, **12**. 418.
tax in, **19**. 707.
time for sheriffs to settle, **20**. 591, 595.
to furnish troops against Chickamaugas, **13**. 539, 634.
troops from, **14**. 663; at King's Mtn., **15**. xi.
troops to be raised in, **13**. 411; **24**. 154.
troubles in, **14**. iv.
wants war with Cherokees, **15**. 47.

Washington Co., Va., aids in King's Mtn. battle, **15**. xi, 100, 104, 133, 135, 163.
troops from, **14**. 663; raised against Cherokees, **15**. 47; to be raised in, **14**. 626, 627.
Washington Courthouse, Tenn., **17**. 623; **22**. 640.
court to meet at, **24**. 690.
Washington District, Tenn., **10**. 982, 1002; **11**. 458, 608, 609, 655, 763; **12**. 5, 37, 94, 392; **15**. 221; **18**. 243; **19**. 468, 475, 898, 941; **20**. 52, 598, 617; **21**. 173, 180, 183, 187, 306, 389, 401, 415, 417, 426, 484, 485, 486, 535, 536, 637, 719, 725, 726, 728, 862; **22**. 694; **22**. 646; **24**. 749, 831, 832, 908, 955, 974; **25**. 1, 2, 3, 45.
act for county courts, J. P.'s, and sheriffs in, **24**. 39-42; for court, **24**. 36-9, 50, 64, 161; for payment of militia of, **25**. 62-3; on jurors, **24**. 82-4, 273-5, 452; to create, **24**. 689-90; to erect into Wash. Co., **24**. 141-2; to erect part of into Wilkes Co., **24**. 142-4, 178.
admitted to representation in Prov. Cong., **10**. 925-926, 951.
affairs in, **20**. 709-710.
aid sent, **11**. 393.
allowed representation in assembly. **10**. 1001.
asks to become part of N. C., **10**. 702.
attorney for, **21**. 183, 184; and judge for elected, **20**. 592, 595, 597.
bill for appointing J. P.'s and sheriffs in, **12**. 113; for fort, **21**. 123, 128, 129, 173; for station in, **20**. 569, 585-586, 593; on adm. of justice and dividing mil. jurisdiction, **20**. 509; to divide, **12**. 579, 582, 590, 591, 603, 625, 654, 682, 693, 694, 701, 715; to erect into a county, **12**. 142, 145, 148, 150, 152, 170, 172, 186, 218, 220, 221, 254, 255, 283, 303-304, 308, 310, 311, 314, 315, 334, 395, 339; **13**. 357; to receive accounts for services against Indians as taxes, **21**. 267, 282-3, 304, 629-630, 635, 722.
brig. gen. elected for, **18**. 179, 449, 450, 459.
claims for Indian service, **21**. 185.
coms'rs on pension claims, **24**. 736.
com. to examine accounts of, **12**. 202, 206, 214, 215, 216.
counties included in, **15**. 377.
dispute over election of Cocke as clerk, **11**. 652-653.
Indian boundary of, **11**. 566, 567; troubles in, **11**. 372; **21**. 486-488, 492, 494, 496, 497, 500-501, 507, 515, 528, 535, 536, 537, 559; and troops to be embodied, **22**. 754-5, 912-13.
judge for, **19**. 486, 487, 829, 830.
J. P.'s for, **23**. 995.
landholders of to vote, **23**. 987.
members of assem., **12**. 2, 549, 571, 724.
military organization, **10**. 998; **11**. xvi, xvii; officers for, **18**. 450, 458; **21**. 150, 154, 160; elected, **20**. 206-207, 210, 225, 262, 270, 272, 273, 275, 276, 277, 293, 388, 389, 416, 442, 456, 461, 462, 580.
money advanced for militia, **12**. 37, 39.
no men go from to S. C., **13**. xi.
petition from on annexation to N. C., **10**. 708-711.
powder intended for, **11**. 530.
Sevier made brig. gen. for, **22**. 729.
superior ct. for, **7**. 159.
troops for defence of, **10**. 963-964; to be raised in against Cherokees, **12**. 103-104.
Wasley, Mrs., **10**. 717.
Wasson, Archibald, in militia, **17**. 1056.
Wasson, Jos., allowance to, **19**. 415, 480, 742.
Wasweek, **12**. 460.
Watasco (Wateree?) River, Greene crosses, **22**. 584.
Watauga (Wallogah, Wataga, Wataugah), **10**. 258, 260, 665, 777, 782, 885, 901; **11**. 179; **15**. 135, 163; **17**. 586; **22**. 158.
admitted to representation in Prov. Cong., **10**. 925-926, 951.
complaints of letter to people of, **10**. 783.
fort at, **10**. 782.
history of, **10**. xxvi.
Indian boundary of, **11**. 566, 567.
pensions to people at, **10**. 978-979.
people encroach on Indians, **13**. 90-91.
reports from on Indian depredations, **11**. 393.
settled from N. C., **8**. 652.
settlement at and quarrel over lands, **22**. 995, 997, 998, 1000.

troops assemble at, **15**. xi.
See also Tennessee, Western Country, etc.
Watauga Old Fields, 18. 497.
treaty at, **10**. 708.
Watauga (Wattaga) River, 15. 132, 133, 372, 373; **24**. 301; **25**. 4.
encroachments on Indians at, **9**. 826.
petition from on annexation to N. C., **10**. 708-711.
purchases on, **10**. 606.
settlement on, **10**. 763, 765-766, 768, 769, 770, 772, 775, 780, 781.
Watauga (Wattagaw) Settlement, asks to have a part of N. C., and plundered, **10**. 702.
Brown to Prov. Cong. on lands in, **10**. 885-887.
extent, **10**. 712.
on Doe River, **10**. 713.
Watauga settlers, Stuart to warning them to join British, **10**. 606-607.
Watcoosa, sells Cape Fear River and land, **1**. 71.
Watenbous, David, on S. C. petition, **1**. 637-640.
Water, drinking, character, **1**. 765.
lack of good w. in Chowan and Perquimans, **1**. 713.
Water courses, bill to clear, &c., **4**. 1262-1263, 1283, 1285, 1321, 1324, 1325, 1329, 1334-1335, 1340, 1342, 1343, 1348; to codify acts on, **19**. 547.
character and depth, **5**. 315-316.
Water Ford, 21. 546.
Water mills, act to encourage building of, **2**. 206-207; **23**. 485-7; **24**. 131-3.
only one in province, **1**. 913.
Water Street, Edenton, 25. 102.
Water Street, Halifax, 24. 834.
Wateree, 15. 66.
Wateree Ferry, 14. 550.
Wateree (Watteree) River, 4. 669; **5**. 1187; **7**. 1004; **15**. 150, 250, 263, 268, 269, 298, 305, 455; **22**. 112.
act to open navigation, **24**. 961-2.
Br. on, **14**. 609; and Amers. on, **17**. 1031, 1032.
Cornwallis on, **14**. 453, 458, 460.
fords taken possession of, **14**. 550.
reinforcement from, **14**. 554.
secured by Br., **15**. 306.
Waterford, Ireland, 22. 302.
Waterlow, Richard, imported, **1**. 394.
Waterman, Humphrey, settler, **1**. 76.
Waterman, Wm., prisoner, **15**. 630.
Waters. See Warters, Watters.
Waters, Mr., ships rice, **9**. 364.
Waters, Capt., 14. 596.
Waters, Lieut., courtmartialed, **12**. 543.
Waters, Gabriel, in militia, **22**. 338.
Waters (Wallers), Henry, nom. as delegate to C. C., **20**. 230, 423.
voter, **15**. 237.
Waters, Isaac, army rank, **16**. 1182.
Waters, Jno., army rank, **16**. 1180.
Waters, Jno., army rank, **16**. 1184.
Waters, Jno., army rank, **16**. 1187.
Waters, John, in militia, **22**. 338.
Waters, John, land grants to, **4**. 1248.
Waters, Joseph, 5. 821.
Waters, Jos., land grant to, **4**. 55, 56.
Waters, Josh, land grant to, **4**. 1248.
Waters, Moses, pensioner, **22**. 90.
Waters, Richard, prisoner, **16**. 673.
Waters, Saml., army rank, **16**. 1180.
Waters, Samuel, land grant to, **6**. 1009.
road coms'r, **23**. 448.
Waters, Sol., army rank, **16**. 1191.
Waters, Wm., army rank, **16**. 1180.
Waters, Wm., in assembly, **16**. 1.
Waters, Wm., in militia, **22**. 359.
Waters, Wm., in militia, **22**. 377.
Waters, Wm., land grant to, **4**. 280.
road coms'r, **23**. 220.
Waters, Wm., nom. for C. C., **17**. 338.
to receive warrants, &c., **21**. 131.
Watersession, camp at, **12**. 501.
Watertown, N. Y., 9. 1229.
Wates, Mr., journal of on interview with Tuscaroras on their incursions into S. C., **11**. 10-15, 21, 22.
Watford, Jos., quit rents of, **22**. 243.
Watford, Wm., army rank, **16**. 1188.
pensioner, **22**. 92.
Watham, Abraham, signs oath as member of Council of State, **11**. 363-5.
Wathen, James, land grant to, **4**. 336.
Wathoo, 22. 154.
Waties, John, Jr., prisoner, **17**. 1046.
Watis (Wates), Capt., 11. 15, 16.
Watkin, Wm., land grant to, **4**. 761.
Watkins. See Wadkins.
Watkins, Lieut., absent, **15**. 754.
Watkins, Jno., in militia, **22**. 281.
Watkins, John, juror, **2**. 266.
Watkins, John, officer, **18**. 450.
Watkins, John, patroler, **10**. 25, 63.
Watkins, Lavan, in Conv. 1789, **22**. 37, 46, 49.
Watkins, Leavel, in militia, **22**. 282.

Watkins, Shadk., army rank, **15**. 730; **16**. 1180.
Watkins, Wm., rights proved, **4**. 765.
Watland's Ferry, bill for Onslow C. H. at, **5**. 534, 535, 542.
Watley, Sherley, in militia, **22**. 376.
Watley, Sherley, Jr., in militia, **22**. 377.
Watley, Wm., in militia, **22**. 377.
Watredy, Richard, deposition, **1**. 355.
Watris, John, Jr., to Burke on public stores, **16**. 209.
Watson. See Wattson.
Watson, Mr., **5**. 366, 370.
Watson, Mr., messenger, **5**. 766.
Watson, Capt., publishes account of Carthagena expedition, **15**. 753.
Watson, Col., reports on junction of troops, **14**. 782.
Watson, Lt. Col., **17**. 1029.
joins Rawdon and reports on Br. affairs, **17**. 1031, 1032.
Watson, Alexr., army rank, **16**. 1192.
Watson, Alex., in conv. 1789, **22**. 38, 46, 49.
Watson, Arthur, in militia, **22**. 378.
Watson, David, enlists, **22**. 447.
Watson, David, petitions on land grants, **9**. 1260-1262; **11**. 250-253.
Watson, David, in militia, **22**. 360.
Watson, Etheldred, army pay, **17**. 259.
Watson, Ezekial, army pay, **17**. 260.
Watson, Israel, boundary coms'r, **24**. 705.
Watson, Jacob, exempted, **8**. 324.
Watson, Jacob, militiaman, **7**. 263.
Watson, Jacob, regulator, **8**. 79.
Watson, James, **8**. 232.
Watson, James, allowance to, **19**. 686.
Watson, James, and regulators, **7**. 762, 763.
claim allowed, **5**. 978.
collector, **23**. 373.
commends Jones, **8**. 23.
commissary for Indians, **5**. 835, 853, 854.
coms'r on boundary, **23**. 384; on building, **23**. 869; on canal, **25**. 50; on town, and treasurer, **25**. 23, 402, 403.
sent to inquire into taxes, **7**. 699-700.
to Tryon on regulators, **8**. 246-247.
Tryon to on Hillsboro riots, **8**. 678-679.
Watson, Jas., army rank, **16**. 1182.
Watson, James, courthouse to be near home of, **25**. 272.
Watson, James, in conv. 1789, **22**. 37, 47, 48.
Watson, James, militiaman, **7**. 262.
Watson, James, petition on separation, **22**. 705-9.
Watson, James, register, **9**. 298.
Watson, James, sick, **11**. 729.
Watson, James, sick, **15**. 703.
Watson, James, vestryman, **23**. 384.
Watson, Jesse, militiaman, **7**. 263.
Watson, John, allowance to, **22**. 865.
Watson, John, asks increased salary for inspectors, **5**. 961.
bill to confirm agreement with Tuscaroras, **6**. 1232, 1234, 1284, 1287, 1294.
claims, **5**. 569.
juror, **4**. 523.
land grant asked, **4**. 455.
land grant to, **4**. 50, 58, 59, 278, 704; **5**. 820.
rights proved, **4**. 595.
Watson, John, dead, **22**. 412.
Watson, John, deserter, **15**. 510.
Watson, John, exempted, **6**. 807.
Watson, Jno., in militia, **22**. 333.
Watson, Jno., in militia, **22**. 360.
Watson, Jno., in militia, **22**. 377.
Watson, Jno., in militia, **22**. 385.
Watson, Jno., in militia, **22**. 453.
Watson, John, pensioner, **22**. 91.
Watson, John, petitions on land grants **9**. 1260-1262; **11**. 250-253.
Watson, John, tory officer, **22**. 210.
Watson, Jos., estate taxed, **15**. 192.
Watson, Jos., in militia, **22**. 384.
Watson, Justly, **11**. 44.
Watson, Levin, pensioner, **22**. 92.
Watson, Lott, army rank, **16**. 1191.
Watson, Mial, army pay, **17**. 258.
Watson, Michl., army rank, **13**. 513; **16**. 1183.
Watson, Miles, army rank, **16**. 1188.
Watson, Nathaniel, petition on C. H., **9**. 806-807.
Watson, Neal, army rank, **16**. 1188.
Watson, Neal, army rank, **16**. 1192.
Watson, Neal, in militia, **22**. 324.
Watson, Obadiah, army pay, **17**. 258.
Watson, Patrick, major, **17**. 734.
Watson, Philip, army pay, **17**. 260.
army rank, **15**. 725; **16**. 1186.
Watson, Robt., army rank, **13**. 506; **16**. 1183.
Watson, Robt., juror, **25**. 190.
Watson, Samuel, lieut., **10**. 320.

Watson, Sol., army rank, **16**. 1188.
Watson, Thos., army rank, **16**. 1181.
Watson, Thos., army rank, **16**. 1185.
Watson, Thos., in militia, **22**. 270.
Watson, Thos., in militia, **22**. 396.
Watson, Thos., lieut., **10**. 944.
Watson, Thos., volunteer, **14**. 838.
Watson, Timothy, in assembly, **5**. 689.
Watson, Wm., co. coms'r, **23**. 771, 803.
Watson, Wm., deserter, **11**. 742.
Watson, Wm., deserter, **13**. 380.
Watson, Wm., exempted, **16**. 82, 86.
Watson, Wm., exempted, **19**. 52.
Watson, Wm., juror, **2**. 699.
Watson, Wm., land grant to, **4**. 761, 1246.
Watson, Wm., pensioner, **22**. 89.
Watson, Wm., petitions on land grants, **9**. 1260-2; **11**. 250-3.
Watson, Wm., saddler, **15**. 620.
Watson, Fort, taken, **15**. 465.
Watson's Creek Camp, **8**. 595, 674.
Watston, Philip, a J. P., **2**. 526.
Watt, Jno., in militia, **22**. 385.
Watt, Sam'l, in militia, **22**. 419.
Watt, Samuel, rum to, **22**. 444.
Watter, Elizabeth, sells land, **2**. 226-227.
Watters. See Warters, Waters.
Watters (?), Mr., **22**. 633.
Watters, Henry, in assembly, **21**. 738, 872, 873, 876, 954.
school trustee, **24**. 984.
Watters, James, recommends Macdowell, **6**. 232-233.
Watters, Jesse, **20**. 459.
Watters, John, recommends Macdowell, **6**. 232-233.
Watters, John, reënlists, **15**. 749.
Watters, Jno., in militia, **22**. 280.
Watters, Jos., allowance for slave, **22**. 824.
Watters, Jos., in militia, **22**. 280.
Watters, Samuell, petitions on roads and ferries, **5**. 164-166.
Watters, Sam'l, witnesses will, **22**. 299, 300.
Watters, Tom., sentenced and paid for, **22**. 824.
Watters, Wm., building coms'r, **25**. 93.
memorial, **21**. 812, 981.
reports on certificates, **21**. 352, 356, 365, 368, 372, 382.
Watters, Wm., in militia, **22**. 280.
Watterson, John, reports on tories, **14**. 261.
Watteville, Johannes von, visits Moravians in N. A., **5**. 1156.
Wattis, Wm., instructions of Johnston to on, **11**. 23-25.
Wattockson, Thomas, juror, **4**. 524.
Watton, Mr., delegate in C. C. from Ga., **11**. 478.
Watts, Capt., **14**. 512.
wounded, **15**. 638.
Watts, Alla, bounty land to, **18**. 92, 100, 329.
Watts, Andw., army rank, **16**. 1182.
Watts, Catherin, imported, **1**. 523.
Watts, Elijah, petitions on land grants, **9**. 1260-1262; **11**. 250-253.
Watts, Ignatius, army pay, **17**. 259.
Watts, James, pensioner, **22**. 90.
Watts, John, a J. P., **4**. 713.
administrator, **4**. 1125.
Watts, Jno., army rank, **16**. 1190.
Watts, John, imports persons, **1**. 523.
law suit, **1**. 480.
Watts, John, Indian interpreter, **11**. 179, 186, 190, 195.
Watts, John, regulator, **8**. 78.
Watts, John, witness, **9**. 673.
Watts, John, Jr., imported, **1**. 523.
Watts, John, Sr., imported, **1**. 523.
Watts, Josiah, allowance to, **19**. 734.
money due to, **16**. 129, 131.
petitions, **19**. 934, 935.
Watts, Malachi, regulator, **7**. 808.
Watts, Mary, imported, **1**. 618.
Watts, Michael, petitions King, **1**. 470-471.
Watts, Rich'd, in militia, **22**. 380.
Watts, Rush, **4**. 334, 336.
a J. P., **4**. 218.
Watts, Spencer, lieut., **10**. 624, 626.
Watts, Thomas, exempted, **9**. 451.
Watts, Wm., army rank, **16**. 1186.
bounty land to heirs, **18**. 92, 100, 329.
Watts, Wm., surety, **2**. 832.
Wattson. See Watson.
Wattson, Col., **14**. 765.
Wattson, James, capt. of militia, **5**. 365.
Wattson, John, petitions on roads and ferries, **5**. 164-166.
Wattson, John, tried, **2**. 262.
Wattson, Robert, asks help of Va., **1**. 819-820.
Wattson, Wm., juror, **2**. 443.
Watze, Joseph, signs Pitt Asso., **10** 221.
Waugh, Wm., ensign, **10**. 320.

Waughoe, and Cherokee boundary, **7.** 852, 853, 854.
Waukakoes, The, **11.** 178.
Waulden, Daniel, army pay, **17.** 260.
Waule, Patrick, juror, **2.** 399.
See also Maule.
Waupauxonela, signs Indian treaty, **18.** 515.
Waver, Hysom, regulator, **7.** 736.
Wawhaw M. H., **19.** 985.
Wawsaw Road, **15.** 383.
Waxhaw. See Wacksaw.
Waxhaw (Waxhaw's) Creek, **5.** xxxviii; **14.** 651; **19.** 983, 985, 986, 988; **22.** 132.
Br. at, **14.** 773; **15.** 280.
Cornwallis on, **14.** 614, 615.
good place for winter camp, **14.** 741.
Br. on, **14.** 749.
Waxhaw (Waxaw) settlements, **5.** 142, 144; **6.** 759.
location, **6.** 796.
Waxhaws (Waxsaws, Wacksaw, Waxhaw), **5.** 1208; **14.** 540, 569, 678, 755, 760, 762; **15.** 81, 111, 127, 256, 261, 278, 282; **16.** 179, 483; **17.** 1040; **19.** 916, 958, 985; **22.** 156, 853.
battle of, **14.** xii; **19.** 968, 990.
Br. at, **14.** 858; **15.** 7; reinforcements from, **14.** 784.
Cornwallis at, **14.** 647, 776; **15.** ix, xiii.
favored as location for army, **15.** 161.
settlements on scouted by Davie, **14.** 742.
skirmishes about, **15.** 266.
Smallwood at, **15.** 173.
survey in, **5.** 33.
to be occupied by Amer. army, **14.** 759.
troops go to, **14.** 764.
Waycoft, Mark, in army, **13.** 523.
Wayf, William, signs Quaker petition, **1.** 252.
Wayland, Col., rank of settled, **12.** 528.
to parade; **12.** 527.
Wayman, ——, **22.** 462.
Wayman, Gasper, bill for services, **22.** 464.
Waymouth, Lord, **1.** 878.
Waymouth, Corbin, army rank, **13.** 510; **16.** 1181.
Waymouth, Wm., petition, **1.** 567.
Wayne. See Wain, Wane.
Wayne, Maj., comr. of prisoners, **15.** 567.
Wayne, Brig. Gen. Anthony, **12.** 461, 495, 514, 522, 526, 531, 537; **15.** 632; attacks Br. in Va., **15.** 550, 553.
besieges Savannah, **16.** 614.
bravery at Stoney Point, **14.** 187, 190, 191.
called back, **15.** 643.
captures Br., **16.** 499, 502.
comes south, **15.** 657.
composition and position of brigade, **12.** 509.
court-martialed, **13.** 264.
expected at Halifax, **22.** 588.
forwards letter of Lee to C. C., **14.** 239.
gains battle of Stoney Point, **14.** 334.
in battle of Brandywine, **11.** 621; of Germantown, **11.** 643.
in eastern N. C., **15.** 627, 628.
in Va., **15.** 570, 571.
letter from ment'd, **15.** 195.
light horse to join, **15.** 631.
location, **15.** 561, 575, 630.
movements, **15.** 536; **17.** 1030; **22.** 586.
on court martial, **12.** 542.
on right at Germantown, **11.** 784.
orders of at Stoney Point, **14.** 326-327.
orders to, **11.** 757, 758.
position of brigade, **12.** 509.
storms Stoney Point, **14.** viii.
to Burke on Maj. Lee, **14.** 840.
to Jay on battle of Stoney Point, **14.** 337.
to Washington on battle of Stoney Point, **14.** 327-330.
Wayne, G., joins LaFayette, **15.** 518.
Wayne, Isaac, land grant to, **4.** 279.
Wayne, John, land grant asked, **4.** 707.
Wayne, **15.** 363.
Wayne Co., **14.** 396, 495; **15.** 627; **18.** 96, 100, 252, 497; **19.** 17, 125, 413, 444, 446, 478, 480, 482, 596, 736, 782; **20.** 141, 357, 502, 524, 530, 534, 610; **21.** 172, 241, 244, 323, 601, 636, 658, 665, 748, 898, 1067; **24.** 581, 642; **25.** 64.
act for poor house, **24.** 738-9; for tax for pub. buildings, **24.** 522, 700, 810-11; for town in, **24.** 875-6; for work on Neuse River, **24.** 602; on jurors; **24.** 273-5; to

establish, **24**. 290-2; to fix place for C. H. and pub. buildings, **24**. 464-6; to fix time of co. ct., **24**. 717.
Baptists in, **5**. 1181.
bill for public buildings, **16**. 75-76, 80, 98, 99, 121; **19**. 46, 63, 81; for town in, **19**. 735-736; for tobacco inspection, **20**. 47; on boundary, **20**. 168, 350; on public buildings, **19**. 412-413, 424, 434, 471, 479, 749, 753, 756, 765, 770, 771, 773, 809-810, 823; to alter place of holding court, **17**. 315, 326; to change location of public buildings, **20**. 27, 39; to divide, **20**. 164, 346; to inspect tobacco in, **18**. 96, 97, 157, 170, 323, 378, 379, 392.
census of 1790, **26**. 1204-1221.
in Newbern Dist., **15**. 377.
members of assembly, **16**. 2; **17**. 265, 282, 795, 878, 931; **18**. 2, 11, 227; **19**. 2, 30, 130, 234, 400, 489, 718; **20**. 2, 120, 127, 302, 476, 477; **21**. 2, 194, 205, 730, 734, 872, 1002.
members in conv. 1788 and 89, **22**. 3, 7, 10, 14, 39, 43.
militia in field, **22**. 564; to be raised, **17**. 678.
owes State, **21**. 1067, 1068, 1078.
petition from, **18**. 407; **19**. 516, 521, 522, 594, 627, 637, 738, 741.
Quakers of remonstrate, **17**. 636, 637, 642, 643, 644-645, 716, 721, 725, 729.
tax in, **19**. 707.
tobacco inspection, **24**. 861.
troops join Br., **22**. 569.
Wayne Courthouse, **22**. 540.
Waynesboro, act to establish, **24**. 875-6.
Waynesville, **10**. 713, 883.
Ways and means, com. on, **10**. 507; and reports on in Prov. Cong., **10**. 192, 194.
Weakely, George, death, **7**. 130.
Weakfield, Cherles, asks for new county, **9**. 91.
Weakfield, John, Jr., asks for new county, **9**. 91.
Weakfield, John, Sr., asks for new county, **9**. 91.
Weakly, Robert, boundary coms'r, **24**. 973.
in conv. 1788, **22**. 2, 5, 25, 27, 30, 31, 35.
Weaks. See Weeks.
Weaks, Dixon, army rank, **16**. 1191.
Weaks, Lewis, army rank, **16**. 1191.
Wealth, of Eden, **2**. 533, 538.
of Pollock, **2**. 61.
of S. C., **2**. 233.
Weamouth, Thos., witnesses deed, **1**. 19.
Wean, John, rights proved, **4**. 705.
Wear, John, petition on separation, **22**. 705-8.
Wear, Samuel, makes treaty, **22**. 655-9.
officer and J. P., **22**. 719.
treats with Indians, **18**. 696-700.
Wearce, Solomon, takes oath, **22**. 171.
Weare, Mesheah, to Caswell on prohibition of tories to return to N. H., **13**. 340.
Wearing, Jas., army rank, **16**. 1180.
Wearrel, Jno., Sr., in militia, **22**. 282.
Wease, Lord George, building coms'r, **25**. 97.
Weat, Nath., army rank, **16**. 1183.
Weather, Jno., army rank, **16**. 1188.
Weather, heat of, **22**. 555, 556.
Weatherington, Mason, army pay, **22**. 260.
Weathers. See Withers.
Weathers, Elisha, pensioner, **22**. 92.
Weathers, Willis, army rank, **16**. 1191.
pensioner, **22**. 90.
Weatherspoon. See Witherspoon.
Weatherspoon, Laure, army rank, **16**. 1184.
Weatty, Abraham, holds stills, **18**. 123.
Weatuck (Wetock) River, Indian refugees on, **1**. 828.
Weaver, Benjamin, army pay, **17**. 256.
army rank, **16**. 1189.
Weaver, Danl., army rank, **16**. 1189.
Weaver, Ed., in militia, **22**. 370.
Weaver, Edwd., army rank, **16**. 1190.
Weaver, Frederick, in militia, **22**. 166.
Weaver, Henry, in militia, **22**. 377.
Weaver, John, **21**. 760, 761.
Weaver, John, allowance to, **22**. 848.
Weaver, Jno., army rank, **13**. 507; **16**. 1187.
Weaver, John, debts due by, **8**. 278-279; as sheriff, **9**. 574.
Weaver, Jno., in militia, **22**. 371.
Weaver, John, Jr., caveat against, **6**. 772.
Weaver, Lewis, army rank, **16**. 1182.
Weaver, Samuel, army pay, **17**. 258.
Weaver, Stephen, in militia, **22**. 283.
Weaver, Traves, in militia, **17**. 1061.
Weaver, Wm., pensioner, **22**. 91.
Weaver, **2**. 109.

Weaver's Creek, **2**. 803.
Weavor, Mainos, in militia, **22**. 166.
Web, Beaty, regulator, **8**. 80.
Web, John, regulator, **7**. 809.
Web, Joseph, law suit, **1**. 484.
Web, Joseph, regulator, **8**. 80.
Web—, Mr., **9**. 1164.
Webb, ——, land suit, **5**. 820.
Webb, ——, Bryer & Co., supply N. C. line, **16**. 484, 496.
Webb, Mr., killed in battle with Franklinites, **22**. 692.
Webb, Col., **5**. 589, 601.
Webb, Col., gov. of Providence, **1**. 530.
Webb, Anthony, juror, **4**. 522.
land grants to, **4**. 619, 632, 634.
Webb, C., position of regt. in army, **12**. 509.
Webb, Chas., army rank, **13**. 524; **16**. 1181.
Webb, Daniel, land warrant to, **5**. 816.
Webb, David, **9**. 1232.
Webb, David, takes oath, **22**. 169.
Webb, Edward, reports on French, **15**. 561.
Webb, Elisha, ensign, **10**. 944.
Webb, George, claims allowed, **9**. 953.
Webb, Geo., delivers lottery tickets, **13**. 110.
Webb, George, pays money to U. S., **16**. 928; for Va., **17**. 560.
Webb, George, petitions on land grants, **9**. 1260-1262; **11**. 250-252.
Webb, Henry, a J. P., **4**. 966.
claim allowed, **5**. 978.
Webb, Isham, a J. P., **23**. 994.
in assembly, **12**. 656, 671, 674, 675, 724, 725; **19**. 376.
in Prov. Cong., **10**. 915.
on com. of assembly, **12**. 554, 600.
seat in assembly, **15**. 221.
Webb, Jacob, army rank, **16**. 1190.
Webb, James, **7**. 782.
Webb, James, army pay, **17**. 258.
army rank, **16**. 1188.
dist. auditor, **24**. 422.
Webb, James, takes oath, **22**. 176.
Webb, Jesse, pensioner, **22**. 92.
Webb, John, **14**. 461, 462.
Webb, John, allowed to export, **10**. 694.
bill to vest entailed lands in, **13**. 863, 865, 943, 957, 973, 975, 983.
buys provisions for public, **10**. 697.
commissary, **10**. 536.
in Prov. Cong., **9**. 1179, 1180, 1181; **10**. 165, 167, 172, 502, 523; on com. of Prov. Cong., **10**. 175, 193, 504, 507, 555, 568.
presides at meeting on Rev. affairs, **9**. 1038.
resigns as commissary, **10**. 566.
to buy provisions for public, **10**. 471.
to deliver arms to Sumner, **10**. 570.
to procure arms, **10**. 555.
to sign bills of credit, **10**. 534, 574.
visits Caswell for money for troops, **11**. 586.
Webb, Jno., army rank, **16**. 1182.
Webb, Jno., army rank, **16**. 1187.
Webb, John, fair judge, **24**. 284.
Webb, John, in army, **13**. 525.
Webb, John, on S. C. of Halifax Dist., **10**. 215.
Webb, John, pays money to U. S., **16**. 929.
Webb, John, pensioner, **22**. 92.
Webb, John, regulator, **8**. 79.
Webb, Johnson, pensioner, **22**. 92.
Webb, Johnston, army pay, **17**. 256.
Webb, Jos., army rank, **16**. 1183.
Webb, Jos., army rank, **16**. 1187.
Webb, Josh., army rank, **16**. 1181.
Webb, Joshua, in army, **13**. 525.
Webb, Lennard, regulator, **8**. 79.
Webb, Lewis, army rank, **16**. 1192.
Webb, Rice, army rank, **16**. 1190.
Webb, Richard, in Indian war, **10**. 754.
Webb, Richard, regulator, **7**. 734.
Webb, Robert, building coms'r, **24**. 288.
in assembly, **16**. 2, 3, 49, 153, 165, 167; **17**. 307, 355, 359, 365, 366, 368, 387, 391, 394, 395, 406, 409, 410, 425; **18**. 227, 228, 284, 344, 345, 346, 357, 361, 376, 399, 412, 440, 443, 469, 470, 471; **19**. 18, 78, 283, 295, 300, 324, 334, 354, 359, 395, 728; **20**. 207, 229, 239, 240, 276, 285, 287, 288, 494, 514, 516, 519, 520, 527, 531, 536, 543, 546, 547, 550, 554, 555, 567; **21**. 581, 726, 730, 731, 732, 780, 802, 806, 852, 854, 862, 867, 868; on com. of assembly, **16**. 38, 116.
Webb, Robert, regulator, **8**. 79.
Webb, Saml., army rank, **16**. 1192.
Webb, Samuel, voter, **15**. 237, 238.
Webb, Stephen, army pay, **17**. 259.
Webb, Theodorick, building coms'r, **24**. 874, 949.
C. H. coms'r, **24**. 464.
Webb, Thos., in militia, **22**. 338.

Webb, Wm., claims, **17**. 333; **20**. 40, 47.
petition, **18**. 16, 36, 38, 51, 268.
Webb, Wm., in militia, **22**. 494.
Webb, Wm., land grant to, **4**. 1049.
Webb, William, pay to, **22**. 491.
Webb, Wm., petitions for Windsor as C. H., **9**. 804-806.
Webb, Wm., takes oath, **22**. 173.
Webb, Wm. C., petition, **21**. 737, 742, 745, 751, 884, 885, 892, 899, 900.
Webber, Edward, land grant to, **4**. 625, 641.
Webber, Samuel, to Newcastle on a proposed charter, **3**. 498-499.
Webber, Thos., act for town on lands of, **24**. 609-11.
bill for town on lands of, **19**. 538, 551, 556, 558, 563, 661.
court at house of, **24**. 226.
juror, **8**. 528.
Webber's Bridge, **14**. 96; **22**. 566.
troops at, **22**. 569.
Webbly, Mr., **16**. 682.
Weble, Jno., army rank, **16**. 1191.
Webley, Saml., army rank, **16**. 1184.
Webster, Mr., **23**. 12.
Webster, Col.(Br.), **19**. 962; **22**. 125.
and battle of Camden, **15**. 270, 271, 272.
at Guilford C. H., **17**. 1003, 1006.
arrives at Cornwallis's camp, **15**. 242.
crosses at Beattie's Ford, **17**. 997, 998-9.
dies, **15**. 781; **17**. 1014-1015.
location, **15**. 251.
pay of, **15**. 262.
promoted, **17**. 989.
thanked for Camden victory, **15**. 296.
troops of sent to Deep River, **17**. 1000.
Webster, Charles, a J. P., **4**. 47.
Webster, Charles, petition on C. H., **9**. 806-808.
Webster, Daniel, army pay, **17**. 257.
Webster, Edward, land grant to, **4**. 615.
Webster, James, deserter, **16**. 518.
Webster, John, a J. P., **6**. 342.
claims allowed, **6**. 210; **22**. 818.
land grant to, **4**. 332, 615, 625.
Webster, John, debts due by, **8**. 280-281; as sheriff, **9**. 574.
Webster, John, exempted, **4**. 736.
Webster, Mary, petition on separation, **22**. 705-8.
Webster, Richd., army rank, **13**. 519; **16**. 1181.
Webster, Will., land grant to, **4**. 631, 635, 851.
Webster, Wm., **25**. 212.
Webster, Wm., a J. P., **4**. 224.
act for town on lands of, **23**. 128, 335; **25**. 229-30.
in assembly, **6**. 362, 470, 482, 514, 661; **7**. 343, 345, 644, 645, 651, 662, 929.
land grant to, **4**. 64.
town to be erected on lands of, **4**. 364, 365, 366, 367, 374, 375, 377, 380, 391, 393, 394, 396, 404, 406, 408.
Webster, Wm., allowance to, **22**. 864.
Webster, Wm., juror, **25**. 190.
Websters, John, land grant to, **4**. 219.
Websters (Mrs.), quit rents payable at, **4**. 186.
Webster's Land'g, quit rents paid at, **25**. 217.
Websterson, Mr., voting place near, **2**. 214.
Wecker, Andrew, **8**. 778.
Wecocomicke, granted to Durant, **1**. 14, 19, 20.
Wedbee, John, juror, **4**. 517.
See also Whedbee.
Wedderburn, Mr., phillipic against Franklin, ment'd, **15**. 172.
Weddingman, John, petitions on land grants, **9**. 1260-1262; **11**. 250-252.
Weeb, Wm., regulator, **8**. 80.
Weedon, Gen. George, **12**. 461, 470, 476, 478, 481; **14**. 502.
and camp supplies, **14**. 627, 628.
in battle of Brandywine, **11**. 621.
to Gates on Br. attack on Va., **14**. 723; on supplies, **14**. 624.
to join Muhlenberg, **14**. 729, 733.
Weedon, John, pensioner, **22**. 91.
Weekacanaan, **22**. 291, 292.
Weekacanne (Weekacaine) River, Indians at, **2**. 7, 21.
Weekacoon Creek, **22**. 291, 292.
Weekes. See Weaks, Weeks.
Weekes (Weeks), Thos., a J. P., **4**. 346.
house burglarized, **2**. 708-709.
in assembly, **4**. 366, 394, 826, 1182; **5**. 249, 525, 528, 532, 690, 843, 867, 894; on com. of assem., **5**. 709.
juror, **4**. 518.
petition on trade, **5**. 321-324.
sheriff, **4**. 347.

Weekly Mercury, extracts from on regulation, **10**. 1017-1018, 1025.
Weeks. See Weaks, Weekes, Wicks.
Weeks, Capt., captures tory, **16**. 260-261.
dies, **22**. 133.
takes vessel of tories, **11**. 753.
Weeks, Ann, witness, **2**. 709.
Weeks, Benjamin, army pay, **17**. 257.
Weeks, Benj., land grant to, **4**. 641, 710.
Weeks, Cornelius, army pay, **17**. 257.
army rank, **16**. 1184.
Weeks, Dixon, army pay, **17**. 257.
Weeks, Edward, refuses to take oath, **13**. 446.
Weeks, Ezck., a J. P., **4**. 346.
Weeks, Ezek., juror, **25**. 190.
Weeks, Hardy, army rank, **16**. 1181.
Weeks, Jabeth (Jabesh), land grant to, **4**. 1248.
payment to, **5**. 974.
Weeks, Jesse, refuses to take oath, **13**. 446.
Weeks, Jonas, in militia, **22**. 264, 267.
Weeks, Levi, army pay, **17**. 257.
Weeks, Levi, army pay, **17**. 257.
in army, **15**. 720; **16**. 1184.
Weeks, Sarah, pensioner, **19**. 403, 404, 408, 731.
Weeks, Silas, army pay, **17**. 257.
army rank, **16**. 1184.
Weeks, Stephen B., compiles index of census of 1790, **26**. iv, 1-239*c*.
note by, **26**. 239*c*.
prepares captions to N. C. laws, **25**. vi, 526-645; index to Colonial and State Records, **11**. vi; index to N. C. laws, **25**. vi, 647-741.
Weeks, Sylvanus, army rank, **16**. 1180.
Weeks, Theophilus, allowance to, **22**. 831.
army pay, **17**. 257.
in army, **15**. 720; **16**. 1184.
in militia, **22**. 339.
Weeks, Theops., land grant to, **4**. 641, 762.
Weeks, Thomas, cited to court for toryism, **11**. 773.
Weeks, Thos., prisoner at Camden, **15**. 168; **22**. 523.
Weeks, Thos., widow pensioned, **19**. 403.
Weeks, Zachariah, in militia, **22**. 383.
Weeks' Landing (Thos.), inspection at, **23**. 791; **25**. 313, 379.
Weetock Indians, join Tuscaroras, **1**. 934, 955.
Weickman, ——, arrested, **14**. 820.
Weidner (Whitner), Henry, pioneer, **8**. 750, 751, 756.
Weidner family, 8. 756, 757.
pioneers, **8**. 751.
Weighingham, John, petitions on land grants, **9**. 1260-1263.
Weight, Alexander, deputy marshal and witness, **3**. 573.
Weight, James, land grant to, **4**. 594.
Weight, John, juror, **25**. 186.
Weight, Saml., juror, **25**. 186.
Weight and Mortimer, allowance to, **22**. 825.
Weights, short, penalty, **24**. 281.
stamp for, **1**. 570.
standard rec'd, **1**. 568-569; delivered to new keeper, **2**. 12; to be adopted, **1**. 558, 559.
Weights and measures, act on, **23**. 53-54, 178-80, 336, 478; **25**. 160.
bill concerning, **4**. 476, 478, 501, 507, 508; to regulate, **19**. 758; **21**. 271.
note on act for, **3**. 185.
Weikel, ——, patriot, **8**. 733.
Weir, Mr., on com. of defence, **22**. 722.
Weir, Capt., imports paper, **10**. 279.
Weir, John, to leave country, **11**. 553-554.
Weiss, Jonathan, a hunter, **5**. 6.
Weitzell, Joshua, 8. 738.
Weitzell, Wm., 8. 738.
Weitzell family, 8. 734, 738.
Weitzell's Mill, Amer. loss at, **17**. 1001.
Wekocanaan, 2. 305.
Welbert, Christopher, petition against marriage act, **9**. 623-625.
Welbert, John, petition against marriage act, **9**. 623-624.
Welborn, John, recommends Pugh, **9**. 30.
Welborn (Wellborn), Thos., pardon asked for, **9**. 26-27.
petitions Martin for protection, **22**. 891.
recommendation of, **9**. 25.
to Tryon on regulators, **7**. 810-811.
Welborn, Wm., asks pardon for Pugh, **9**. 29-30.
recommends Pugh, **9**. 30.
Welborn, Wm., Jr., petition on catching fish, **9**. 87-88.
recommends Welborn, **9**. 25-26.
Welch. See Welsh.

Welch, ——, a Baptist, **5**. 1164.
Welch, Aaron, army pay, **17**. 259.
Welch, C. Noah, army rank, **16**. 1192.
Welch, David, army pay, **17**. 261.
Welch, David, petitions on county bounds, **9**. 633-635.
Welch, Demcy, in militia, **22**. 333.
Welch, Edward, petitions on county bounds, **9**. 633-634.
Welch, George, prisoner, **17**. 1046.
Welch, Henry, regulator, **7**. 734.
Welch, Hezekiah, brig of seized, **7**. 159.
Welch, Jas., in militia, **22**. 370.
Welch, Jas., juror, **25**. 190.
Welch, James, petitions for land, **4**. 57.
Welch, James, Jr., land grant to, **4**. 945.
Welch, John, allowance to, **22**. 858.
Welch, Jno., juror, **25**. 185.
Welch, John, land warrant to, **6**. 332.
Welch, John, tobacco inspector, **21**. 96.
Welch, Joseph, pensioner, **22**. 91.
Welch, Lewis, a J. P., **13**. 177; **23**. 993.
commissioner of forfeited estates, **14**. 303.
Welch, Nicholas, fined, **22**. 512, 513.
juror, **22**. 511.
Welch, Thomas, army pay, **17**. 257.
Welch (Welsh), Thos., indentured servant, **1**. 412.
Welch, Thos., witness, **1**. 609.
Welch, Tobias, building coms'r, **24**. 237.
Welch, Walter, regulator, **7**. 735.
Welch, Wm., army pay, **17**. 256.
army rank, **16**. 1180.
Welch, Wm., army rank, **16**. 1191.
Welch, Wm., asks for new county, **9**. 89.
Welch, Wm., land grant to, **4**. 1242.
Welch Fusileers, report on, **15**. 52.
Welch (Welsh) Tract, **5**. 1164, 1208, 1210, 1211; **10**. 25.
settlement at, **5**. 1199.
Welch settlement, **5**. 1208.
Welch's Creek, **23**. 100, 976; **25**. 182.
inspection at, **23**. 641, 792; **25**. 313, 379.
Weldair, Michael, memorial, **21**. 13.
Weldon, Mr., **14**. 596.
Weldon, Abraham, in militia, **22**. 346.
Weldon, Daniel, boundary coms'r, **24**. 224.
commissioner for Va. line, **4**. xiii; on town, **25**. 399.
county clerk, **5**. 320.
Weldon, Poyns, land grant to, **4**. 628.
Weldon, Samuel, blacksmith, **15**. 477, 619.
Weldon, Samuel, colonel of militia, **12**. 712, 777, 833.
lieut. col., **10**. 1001.
in Prov. Cong., **10**. 914, 916.
major, **10**. 531; of troops for S. C., **10**. 931.
on S. C. of Halifax, **9**. 1101.
reports on prisoners, **15**. 630.
to Caswell on suspension of Alston by court martial, **13**. 397.
Weldon, Wm., in assembly, **17**. 715; **19**. 383, 388, 389; on com. of assem., **17**. 727.
major, **22**. 966.
receives pay for soldiers, **17**. 206.
Weldon, Wm. Sam'l, a J. P., **23**. 994.
Weldon, **19**. 1000.
limit of population in 1728, **3**. xiii.
Weldon Place, **19**. 998.
Welfong, Geo., coms'r on pub. buildings, **24**. 29.
major, **10**. 532.
Welishes Creek, **2**. 353.
Welker, Geo. Wm., on history of German Reformed Settlements, **8**. 727-757.
pastor of Reformed churches, **8**. 736, 737, 738, 739.
writes history of German Reformed Church, **8**. xlii-xliii.
Well, S. B., position of regt. in army, **12**. 508.
Weller, Isaac, in militia, **22**. 352.
Wellingham, Thomas, petition on who are tithables, **9**. 97-98.
Wellisi Creek, **26**. 456.
Wellison, John, land grant to, **4**. 851.
Wellmot, Thos., prisoner, **15**. 169.
Wellons, Charles, pensioner, **22**. 90.
Wells, Mr., **14**. 493.
Wells, Col., movements, **22**. 586.
Wells, Absalom, in militia, **22**. 377.
Wells, Allen, paid for negro executed, **4**. 149.
Wells, Anne, exempted, **9**. 156.
Wells, Daniel, surrendered to Md., **1**. 666.
Wells, Edward, a leader in Culpepper Rebellion, **1**. 260, 279, 292, 310-311.
makes prisoners, **1**. 279.
signs remonstrance, **1**. 249.

Wells, Elijah, fined, **9**. 651.
petitions on land grants, **9**. 1260-1262; **11**. 250-252.
Wells, Francis, buys, **1**. 607.
juror, **1**. 608.
sells, **1**. 652.
tax collector, **1**. 544, 560.
Wells, Fran., quit rents of, **22**. 258.
Wells, Geo., buys land, **21**. 1053.
Wells, Haydon, act for land to, **24**. 629-30.
land grant to, **19**. 572.
Wells, Hen., in militia, **22**. 285.
Wells, Henry, land grant to, **4**. 947.
Wells, Isaac, army rank, **16**. 1189.
Wells, Isaac, army rank, **16**. 1190.
Wells, J. S., to Jones on French fleet and movements of Cornwallis, **15**. 630.
Wells, Jacob, army pay, **17**. 258.
pensioner, **22**. 90.
Wells, Jacob, land grant to, **4**. 768, 947, 1240, 1249.
Wells, James, courtmartialed, **12**. 488.
Wells, Jas., in militia, **22**. 327.
Wells, Jeremiah, in militia, **22**. 333.
Wells, John, army pay, **17**. 257.
army rank, **16**. 1190.
Wells, Jno., in militia, **22**. 338.
Wells, John, land grant to, **4**. 630.
Wells, John, signs Tryon Asso., **10**. 162-163.
Wells, John, witness, **1**. 857.
Wells, Jos., in militia, **22**. 338.
Wells, Martin, on patrol, **10**. 28.
Wells, Miles, petition on relief from church tax, **9**. 95-7.
Wells, Nath., in militia, **22**. 338.
Wells, Robert, church trustee, **24**. 757.
Wells, Robert, exempted, **7**. 625.
Wells, Robert, gun lost, **22**. 420.
Wells, Robt., in militia, **22**. 418.
Wells, Rob., on S. C. of Bladen, **10**. 112.
Wells, Sam'l, in militia, **22**. 327.
Wells, Sam'l, Sr., in militia, **22**. 327.
Wells, Uriah, army rank, **16**. 1189.
Wells, Wm., land grant to, **4**. 50.
Wells, Dr. Wm. Charles, tory, **22**. 230.
Wells, Willis, army rank, **16**. 1182.
Wells, Zebulon, army pay, **17**. 259.
Wells Chapel, 5. 1179.
Wellsteed, Wm., merchant, **2**. 278.
Wellty, Abraham, petitions, **19**. 927.
Welmot, Sir Jonathan, on Dobbs case, **9**. 996.
Welsh. See Welch, Weltch.
Welsh, Basil (Barzil), army rank, **13**. 514; **16**. 1182.
Welsh, James, land grant to, **4**. 334.
road coms'r, **23**. 221.
Welsh, John, payment to, **22**. 441.
Welsh, John, petitions for new charter, **9**. 79-80.
Welsh, Lewis, in militia, **22**. 264.
Welsh, Lewis, petition on use of Carteret militia, **15**. 146-147.
Welsh, Luke, regulator, **7**. 733.
Welsh, Thos., army rank, **16**. 1190.
Welsh, Wake, witness, **6**. 573.
Welsh, Wm., in militia, **22**. 453.
Welsh, ment'd, **1**. 515; **5**. 12.
immigrants, **5**. 1199.
Welsh Neck, S. C., 5. 1165.
Welsh Tract, Del. See Welch Tract.
Welsh's Creek. See Welch's Creek.
Welson. See Wilson.
Welson, Thos., asks help of Va., **1**. 819-820.
Welson's Ferry, 14. 746.
Welstead, Wm., bill for weights and measures, **1**. 569.
Weltch. See Welch, Welsh.
Weltch, Demsey, in militia, **22**. 358.
Weltch, Michael, in militia, **22**. 358.
Weltner, Lt. Col., field officer, **12**. 527, 546.
Weltner, Maj., 11. 745.
Welton, Wm., witness, **6**. 580.
Welwood, Christopher, claim allowed, **5**. 982.
Wemys, Maj. James, 15. 261, 267.
agreement on exchange of prisoners, **16**. 661-2, 728-9.
at Georgetown, S. C., **15**. 259.
commands 63d Regt., **15**. 304-305; plundering party, **14**. 624-625.
guards prisoners, **15**. 277, 279.
letters to on movements of Br., **14**. 680.
location, **15**. 275.
movements, **15**. 276, 304-5.
prisoner, **14**. 765; **15**. 171.
threatens Cheraw, **14**. 636.
to command in N. C., **15**. 282.
tries to form corps, **15**. 280.
wounded and prisoner, **15**. 305.
Wendelini Christiana Theologica, 2. 584.
Wenkfield, Joseph, in militia, **22**. 404.
Wensley, Joseph, land grant to, **4**. 638.
Wenson, John H., signs Cumberland Co. Ass'n, **10**. 29-30.
Wentworth, Lord, at council, **1**. 74.

Wentworth, Maj. Gen., **15**. 754, 758, 759.
Wentworth, John, proclaimed as surveyor gen. of woods of N. A., **7**. 450-451.
Wentworth, Thos., signs revocation of Heath patent, **1**. 43.
Wentworth, Brig. Gen. Thos., **15**. 754.
reports on troops at Carthagena, **15**. 754-759.
succeeds Cathcart at Carthagena, **15**. 753.
Wenwright, James, a J. P., **4**. 346.
Werdmer, Daniel, letter to laid before assembly, **12**. 4.
Wergman, Charles, Sr., takes oath, **22**. 171.
Werte, Wm., a J. P., **4**. 966.
Wesbrook, Wm., army rank, **16**. 1180.
Wescoat, John, in militia, **22**. 498.
Wescoat, Stephen, in militia, **22**. 498.
Wescote, John, in militia, **22**. 497.
Wescote, Stephen, in militia, **22**. 497.
Wesokin Creek, bill for canal to, **9**. 411, 422, 425, 426, 445, 446, 523, 526, 542, 546, 548, 552, 585, 586, 662.
Wesonfelty, Lt. Col., field officer, **12**. 515.
Wess, Thomas, clerk of vestry, **2**. 11.
West, ——, **11**. 786.
West, ——, fined, jailed and drowned, **3**. 227.
proceedings against, **3**. 513.
West, Mr., **5**. 21.
West, Mr., captured, **22**. 295.
West, Mr., vestryman, **2**. 209; **23**. 7.
West, Capt., **1**. 852.
West, Col., **8**. 55.
West, Col., joint administrator, **4**. 1125.
West, Lieut., courtmartialed, **12**. 502.
West, Maj., on rear guard, **12**. 497.
West, Alex., pensioner, **22**. 91.
West, Benj., a justice, **2**. 264, 357-364.
a J. P., **2**. 264.
administers, **2**. 428.
sells land without authority, **2**. 328.
summoned to appear on land, **2**. 489, 491-2.
to muster troops for S. C., **2**. 180.
tried for Sabbath breaking, **2**. 404, 411.
works on Sunday, **2**. 365.
West, Ben., in assembly, **25**. 159.
West, Charles, a J. P., **2**. 773; **3**. 234; **4**. 48.
enters caveat, **2**. 428.
juror, **25**. 187.
quit rents of, **22**. 251.
West, Charles, Sr., juror, **4**. 519.
West, Ciprian, army rank, **16**. 1188.
West, Cyprean, army pay, **17**. 257.
West, Dan., in militia, **22**. 318.
West, Dan., land grant to, **4**. 336.
West, Daniel, buys at Martin sale, **22**. 881, 882.
West, Daniel, ensign, **10**. 457.
West, Darlin, army pay, **17**. 260.
West, Ebenezer, army pay, **17**. 259.
West, Eli, in assembly, **17**. 264, 276, 304, 334, 359, 365, 366, 368, 387, 391, 394, 395, 406; **18**. 226, 275, 284, 286, 312, 316, 317, 345, 351, 357, 361, 362, 376, 412, 440, 443, 445, 468, 469, 470, 471; **19**. 233, 293, 294, 295, 300, 325, 334, 359, 504, 613, 622, 643, 667, 671, 675, 677, 722, 805, 808, 816, 821, 827; on com. of assem., **17**. 298.
West, Elizabeth, asks for lapse patent, **2**. 487.
lapse patent to, **2**. 523.
West, Francis, army pay, **17**. 256.
West, Francis, in militia, **22**. 380.
West, Francis, takes oath, **22**. 171.
West, George, deserter, **11**. 742.
West, Henry, juror, **4**. 523.
land grant to, **4**. 66.
resurvey of lands granted, **4**. 806-807.
West, James, Abercromby to on case of McCulloh vs. Johnston, **4**. 1095-1097.
Pownall to on quit rent law, **5**. 447-448.
West, Jas., army rank, **16**. 1192.
West, James, in militia, **22**. 165.
West, James, takes oath, **22**. 179.
West, Jeremiah, army pay, **17**. 258.
West, John, a J. P., **4**. 814, 1038.
capital coms'r, **23**. 348.
charges against as J. P., **4**. 1247.
in assembly, **4**. 838, 1175.
juror, **4**. 520.
land grant to, **4**. 589.
resurvey to, **7**. 120.
tax collector, **23**. 255.
West, John, appraiser, **1**. 393, 421.
juror, **1**. 595.
magistrate, **1**. 435.
petitions for orphans, **1**. 580.
West, John, army pay, **17**. 260.
West, Jno., in militia, **22**. 318.

West, Joseph, **1**. 178, 179.
a Landgrave and appointed governor, **1**. 220-222.
governor of C. s. w. of Cape Carteret, **1**. 177-178.
Shaftesbury to on C. affairs, **1**. 211, 213-214.
proposes new Fund. Constitutions, **2**. 841.
West, Joseph, army pay, **17**. 256.
army rank, **16**. 1183.
West, Lamuel, in militia, **22**. 350.
West, Levy, army pay, **17**. 257.
army rank, **16**. 1184.
West, Martha, asks for lapse patent, **2**. 487.
lapse patent to, **2**. 523.
West, Mary, prosecutes for trespass, **2**. 440.
West, Meredith, army rank, **16**. 1191.
West, Nathaniel, in militia, **9**. 59.
West, Onesepho, on regulation of Cross Creek, **15**. 209-210.
signs Cumberland Co. Ass'n, **10**. 29-30.
West, Peter, a J. P., **2**. 676; **3**. 418; **4**. 46, 346.
complaint against as J. P., **4**. 345.
dropped as J. P., **4**. 626.
hearing to as J. P., **4**. 1118.
juror, **4**. 522.
land grant to, **4**. 638, 642.
quit rents of, **22**. 243.
West, Peter, a J. P., **6**. 80, 636.
West, Richard, report by as to whether a governor can vote as councillor, **2**. 558.
West, Robert, **1**. 728.
West, Robert, **22**. 291.
West, Robert, a justice, **2**. 264, 357-368, 403-407-416, 442-448.
a J. P., **2**. 264; **3**. 418; **4**. 46.
appraiser, **2**. 42, 43, 44, 64.
asks for lapse patent, **2**. 390.
church warden, **2**. 151.
claims, **4**. 149.
in assembly, **25**. 159.
in council, **2**. 527-530, 535-542, 556, 565-566, 569-571, 603-604, 623, 637-638, 641-645, 676-677, 764-768, 817-818, 830-831; **3**. 123.
Indian commissioner, **3**. 414; **4**. 224.
juror, **2**. 477.
land lapses, **2**. 563.
lapse patent to, **2**. 683.
petitions over estate, **4**. 225.
receives fines, **2**. 411, 565.
signs acts, **23**. 111, 116; land grant, **4**. 318.
to administer oath, **2**. 515, 566.
to be taken by the nose, **3**. 123.
to inquire into behavior of Indians, **2**. 568.
to king on Everard, **3**. 2-5.
to lay out Indian bounds, **2**. 456-457, 458.
to reconnoitre Indians, **2**. 570-1.
vestryman, **2**. 12, 151, 208; **23**. 7.
West, Robert, army pay, **17**. 259.
West, Robert, in assem., **6**. 800.
West, Robert, in militia, **17**. 1061.
West, Robt., in militia, **22**. 307.
West, Robt., in militia, **22**. 307, 311.
West, Robert, juror, **4**. 523.
land grant to, **4**. 66, 332, 334, 642, 684.
testimony demanded from, **4**. 1206.
West, Robert, petitions for Windsor as C. H., **9**. 804-805.
West, Robt., quit rents of, **22**. 244.
West, Robert, report on reg't of, **5**. 161.
West, Robert, Jr., land grant to, **4**. 453.
West, Saml., army rank, **16**. 1192.
West, Samuel, proves power of att'y, **1**. 524.
West, Thos., **22**. 292.
West, Thos., a J. P., **4**. 47.
appraiser, **2**. 44, 64.
asks for lapsed land, **2**. 352, 452.
land grant to, **4**. 799.
land lapses, **2**. 390, 487, 523, 540.
quit rents of, **22**. 244.
reports from, **1**. 725.
to divide estate, **2**. 250.
treasurer, **25**. 164.
witness, **2**. 321.
West, Tho., in militia, **22**. 307.
West, Thos., in militia, **22**. 379.
West, Wm., a J. P., **4**. 813.
West, Wm., army pay, **17**. 260.
army rank, **16**. 1189.
West, Wm., buys land, **2**. 313.
land lapses, **2**. 523.
lapse patent to, **2**. 683.
law suit for land, **2**. 290.
summoned to court, **2**. 302.
servant of, **1**. 661.
West, Wm., land grants to, **4**. 616, 627, 628, 638, 710.
West, William, pensioner, **22**. 89.
West, Wm., prisoner, **15**. 169; **22**. 523.

West, Wm., slave executed and paid for, **19**. 528.
West, Willoughby, Sr., pensioner, **22**. 91.
West, The, feeling in, **16**. 459-460.
West branch of Cape Fear River, **5**. 740.
West branch of Lynche's Creek, **15**. 51, 52.
West Carolina, bill to organize as State, **19**. 428, 761, 762.
West Creek, **24**. 447.
dispute over lands on, **17**. 745-746, 750; **19**. 43.
West Florida, **7**. 459; **8**. 626; **10**. 763; **22**. 185.
British army to be landed in, **10**. 607; to be sent to, **10**. 714; **13**. 326.
Creeks insolent in, **7**. 236; murder in, **7**. 214; troubles with, **7**. 270.
in vice admiralty dist. of Charleston, **11**. 219.
Indian affairs in, **7**. 281, 282; **14**. 246; agent needed in, **7**. 839; depredations in, **9**. 825; treated with, **7**. 109, 111.
instructions to gov., **11**. 242-243, 244.
may be admitted to Cont. Ass'n, **10**. 178.
war against Cherokees in, **7**. 439.
West Indies, **1**. 633; **2**. 133, 137, 425, 838; **4**. 12, 424, 1307; **5**. xi, 597, 639, 739; **6**. xi, 785, 1028; **7**. 426, 429; **8**. 770; **9**. 579, 1046, 1093; **10**. 161, 179, 552, 701, 962; **11**. 43, 44, 623, 624, 646, 655, 719, 749, 755, 756, 798, 813; **12**. 804; **13**. 186, 224, 270, 325, 373, 816; **14**. 199, 222, 223, 302, 463, 518, 589, 650, 672, 690, 864; **15**. xiv, 32, 34, 337, 341, 346, 544, 740; **16**. 281, 409, 510, 517, 615, 739, 871, 921; **17**. 152, 640, 801, 802, 904, 989, 1039; **18**. 622, 820; **19**. 345, 881; **20**. 466; **21**. 335, 541; **22**. 102, 354, 381, 542, 744, 758, 794, 900, 910, 929, 982, 985, 987; **23**. 151; **24**. 11, 86, 87, 88, 381, 388, 724.
act to restrain trade of colonies to, **10**. 109-112, 113.
affairs in, **16**. 545-6.
arms and ammunition from, **10**. 347; **13**. 588; **15**. 337-338; to be secured from, **24**. 341-2.
British defeated in, **15**. 527, 575; go to, **14**. 205; **15**. 492; to go to, **13**. 240, 299.
Buchanan and others leave N. C. for, **11**. 633.
captured by French, **13**. 243.
cash brought in from, **3**. 622.
cattle and pork shipped to, **6**. 286.
Colonies cut off from trade with, **10**. xv.
corn exported to, **7**. 225.
DeGrasse goes to, **15**. 661.
Dutch privateers in, **22**. 594.
efforts to import salt from, **11**. 406.
Erskine sent to, **10**. 880.
exports to, **11**. 350.
fish exported to, **9**. 270.
fleet captured, **15**. 121; expected from, **15**. 301.
flour exported to, **6**. 1030.
France and Spain successful in, **14**. 202.
French in, **15**. 374.
French squadron in, **1**. 811; arrives from, **14**. 781.
French superior to Br. in, **15**. 93.
goods furnished to from N. E., **3**. 155; imported from, **2**. 46; **13**. 368; needed, **16**. 240; wanted by Urmston, **2**. 249, 272.
immigration from, **1**. 714. 715; **3** 503.
imports from free of customs, **2**. 296.
Indian slaves shipped to, **2**. iv, 52.
lumber exported to, **7**. 201.
meat sent to, **5**. 2.
money borrowed in for State, **14**. v.
natives of enlist in Cont. army, **12**. 692, 714; **13**. 119, 122; put in French reg't, **13**. 484.
N. E. trade limited to, **9**. 1186.
Pa. Farmer trades to, **12**. 419, 422.
planters expect slaves from Colonies, **9**. 1173.
price of salt and tobacco, **15**. 337, 338.
privateers from, **5**. 648, 757, 808; in N. C., **5**. 748.
prizes taken in, **15**. 78.
prisoners sent to, **15**. xiv; to be sent to as recruits, **15**. 297.
Proprietors not to use their war powers, **1**. 342.
protection of considered, **13**. 246, 250.
rendezvous in, **4**. 553.

reports from, **15**. 588.
rum for Indians, **17**. 510; price of, **16**. 1198.
salt imported from, **10**. 264; should be imported from, **11**. 545; to be bought in, **10**. 985; **22**. 906.
ships from taken, **11**. 352.
should be protected, **22**. 766.
slaves imported from, **9**. 1099; exported to, **10**. 636-7, 640-1.
successes in, **6**. 900, 901.
supplies from, **15**. 69-71; to be secured in, **14**. 204.
supported by colonies on mainland, **2**. 628.
threatened by France and U. S., **16**. 478-479.
timber exported to, **7**. 430, 440.
to be strengthened, **13**. 236.
tories carried as prize to, **11**. 753; flee to, **22**. 197, 199; may be ordered to, **11**. 772.
trade limited to, **10**. 67; regulation against suspended, **10**. 151; with, **1**. 467; **3**. xv; **8**. xlvi, 153; **9**. 319, 320; **10**. 691, 694, 707, 821, 969, 976; **13**. 58, 979; **14**. 299-301; **18**. 559; **19**. 495; **22**. 900, 902; at an end, **15**. 72; allowed and discouraged, **16**. 838, 857, 883, 895, 901, 902, 903, 915-16; **17**. iii, 20, 25, 30, 35, 44, 48, 64; discussed, **5**. 322; **6**. 1034-1035; **16**. 730; not allowed, **10**. 369; not arrested, **15**. viii; of Beaufort, **11**. 633; of Colonies to be confined to, **9**. 1208; stopped, **10**. 20; should be stopped; **11**. 248; to be continued, **9**. 1040; to be encouraged, **3**. 258, 287; **4**. 232, 499.
troops enlisted for, **23**. 151-153; sent from, **14**. 194.
war news from, **16**. 692.
West Jersey, act to forfeit charter, **1**. 552-554.
att'y gen. for, **1**. 464.
British in, **13**. 240; **22**. 986.
confusion in, **1**. 537.
gov'r of, **1**. 530.
illegal trade in, **1**. 468.
land troubles in, **4**. 1104.
petitions of Proprietors, **1**. 470-471-472; on admiralty courts, **1**. 473.
to be annexed to Pa., **1**. 441.
vessel seized in, **1**. 468.
West New Jersey, act to restore to crown, **25**. 149-50.
proposed quo warranto against, **1**. 352-354.
West Point, bill to remove Wayne Co. court from, **17**. 326; **20**. 27, 39.
inspection at, **24**. 581.
West Point, N. Y., **12**. 559; **13**. ix, 236, 344, 495; **14**. vii, viii, 15, 16. 294, 316, 332, 337, 343, 356, 357, 688; **15**. 122; **20**. 677; **22**. 94.
arms at, **17**. 103.
Clinton defeated at, **14**. 788.
garrison at, **16**. 884, 905, 910.
N. C. brigade at, **14**. 159, 365, 366, 367, 368, 369, 370, 371, 372, 375.
preparations against, **15**. 91.
supplies for garrison, **16**. 430.
troops sent to, **12**. 506, 509.
West Shore of Chowan River (Western Shore), **2**. 10, 75; **25**. 182.
encouragement to Urmston, **1**. 766, 830.
to be cleared of Indians, **2**. 54.
West Virginia Lutheran Synod, **8**. 796.
Westall, Ensign, courtmartialed, **12**. 485.
Westbeer (Westbear, Westbier, Weybeere), Charles, administration on estate, **4**. 1207.
books lodged at house of, **3**. 290.
claims, **4**. 150.
commissioner for repair of public buildings, **3**. 544, 547, 573, 579.
in assem., **3**. 562, 563, 580, 612; **4**. 115, 116.
on com. of assembly, **3**. 565, 590, 596; **4**. 86, 124.
quit rents of, **22**. 258.
Westbrook, Levi, army pay, **17**. 259.
Westbrook, Rich'd, in militia, **22**. 338.
Westbrook, Wm., army rank, **15**. 732; **16**. 1190.
Westbrooke (Westbrooks), Bertie Co., **11**. 651; **22**. 755.
Westbrooks, Moses, in assembly, **18**. 226, 228, 257, 284, 298, 344, 346, 351, 357, 361, 362, 376, 389, 399, 429, 443, 445, 469, 470, 471.
Westcott, Philip, vessel of seized, **10**. 508.
Westendorf, John, **11**. 399.
Westendun, **11**. 398.
Westerdale, Frans., army rank, **13**. 518; **16**. 1181.
Western Americans, threaten secession, **22**. 698.
Western army, report of proceedings of, **15**. 163-5.

Western boundary, estimated cost of surveying, **22**. 406-7.
petition from, **19**. 549.
Western Branch, Va., British at, **14**. 723; **15**. 143.
Western Circuit Court, clerk for, **23**. 254.
Western counties, bill to inspect tobacco in, **17**. 332, 334, 336, 343, 350, 361; **20**. 44, 61; to quiet inhabitants of, **17**. 361, 376-377.
high spirited, **14**. 771.
petition of, **21**. 29, 34.
Western Country of North Carolina, **17**. 440, 441, 442, 446, 477; **19**. 497, 614, 940; **20**. 655, 657, 704; **22**. 674, 697, 698, 723.
aid to by N. C., **22**. 643.
bill for court in, **19**. 765.
Br. influence in, **22**. 902.
complaints of against N. C., **17**. 601-604, 623-625.
embarrassment of, **18**. 721, 722, 724, 776.
feeling toward in gen. assem., **22**. 637.
government of, **18**. 718; considered, **22**. 993; dual gov't in, **20**. 648.
land office to be opened, **16**. 783.
map of needed, **20**. 583.
Martin a friend to, **22**. 641-2.
officers elected to command troops in, **18**. 391, 449-450, 451, 459.
petition from and com. on, **21**. 14, 15, 16, 17, 204, 233 (?), 632; on separation, **22**. 705-714.
troops for, **18**. 450.
troubles in, **18**. 663-665.
See also Franklin State; Tennessee.
Western District, Tenn., surveyor for, **19**. 691, 697.
Western Division, to elect representative, **25**. 1-3.
Western Frontiers, bill for protection, **20**. 504, 508.
emissions for, **8**. 213.
trouble on, **14**. iv.
Western Indians, **21**. 506.
act to regulate trade with, **25**. 356-8.
talks from, **17**. 521.
treaty with, **16**. 924.
Western Islands, **14**. 690.
may export wine direct, **1**. 501.
trade with discussed, **6**. 1030; limited, **10**. 110.
wine imported from, **3**. xvi.
Western lands (Tenn.), **19**. 590.
act to cede to United States, **24**. 561-4, 678-9; **25**. 4-6.
bill to cede to U. S., **20**. 513, 535-536; to repeal Tenn. cession act, **19**. 420, 421, 440, 452, 453, 459-460, 741, 746, 747, 754, 761, 762, 766, 768, 773, 777, 794, 802-803, 804-805, 814, 830-832; **20**. 202, 379-380.
cession of to U. States, **16**. 732-734; **17**. vi, 25-26, 37, 49, 62-63, 66, 69, 75, 77, 78-79, 81-82, 94, 98, 99-101, 110-111, 112, 135, 143, 146, 185, 186, 273, 274, 427-428, 440-449, 458, 460, 464-465, 485, 545, 601, 623-625.
com. to examine antedated warrants, **17**. 402-403.
distribution of regulated, **17**. 451-458, 459-460, 465.
entry-taker elected, **19**. 225-226, 227, 362, 363.
memorial of, **20**. 231, 271, 294, 429, 446-447, 462-463, 464.
money from called in, **18**. 8, 235, 238.
nothing allowed for cession, **22**. 637.
report on sales, **18**. 456.
resolution of C. C. on cession, **20**. 240.
sales of, **17**. 102-103; **20**. 242.
surveyors for, **19**. 690, 691, 692, 697, 698, 702.
See also Franklin State; Tennessee.
Western North Carolina, bill to encourage settlement of, **12**. 144, 150, 151, 162, 165, 308, 312, 315, 323, 330, 388-389.
threatened by Br., **14**. 608-609.
Western North Carolina Railroad, fort at Old Fort, **5**. xlviii.
passes near site of Ft. Dobbs, **5**. xlvii.
Western Ocean, **16**. 343.
Western Parts, bill to establish govt. in, **20**. 142, 326.
petition from, **20**. 205, 384, 387.
Western Posts, not surrendered to U. S., **17**. 187, 606.
Western Prong, **18**. 177, 391.
Western Quarter of Quaker Y. M., petition from, **16**. 57-58, 59, 63, 64, 82, 88, 96, 101; **19**. 32, 33, 35, 53, 62.
Western Riding (courts), act to establish, **25**. 65-7.
Western Rowan charge, history, **8**. 746-748.

Western settlements, defenceless condition, **5.** 849.
inspection of, **5.** 841, 864, 866.
Western Territory, 20. 784; **22.** 726, 727.
act to lay off into States, **17.** 460-3.
bill to cede to U. S., **19.** 568, 586, 587, 612-613, 616, 621-2, 634, 642-4, 649, 650, 651, 654, 657, 682, 699-700, 701, 704, 711-714; to organize State out of, **19.** 428, 761, 762.
ceded to U. S., **16.** 888-9; **18.** 715, 716, 717, 721.
demanded of Gt. Br., **16.** 758.
land surveyors for, **17.** 273.
resolves on sale of, **20.** 684-686, 718.
settlement desired, **17.** 17.
States coming out of, **16.** 909; and disposition of, **17.** 484.
to be sold, **17.** 532.
Western Virginia Lutheran Synod, organized, **8.** 795.
Western waters, 17. 160, 161; **19.** 212, 213, 469; **20.** 616, 618; **21.** 487, 531, 561, 562; **22.** 673, 788, 789; **24.** 160; **26.** 1281.
act to prevent issue of certain grants, **24.** 682-3.
and Spanish treaty, **22.** 902.
Caswell to visit, **17.** 138.
papers on people of, **20.** 483, 489, 557.
revolt on threatened, **16.** 460.
See also Franklin State; Tennessee.
Western World, 20. 648.
Westfield, John, land grant to, **4.** 596.
Westfield, 12. 460.
Westminster, 2. 861, 862; **3.** 32, 34, 493; **4.** 466, 655, 663, 1303; **5.** 16, 339, 625, 777; **6.** 19, 21, 22, 310, 524, 542, 546, 577, 703; **7.** 133, 477; **8.** 631; **9.** 15, 849, 1092, 1165; **10.** 402; **11.** 80, 89, 90, 725; **16.** 421; **17.** 588; **18.** 536; **20.** 662; **22.** 235; **23.** 39, 541, 550.
statutes of in force in N. C., **23.** 318.
Westminster Assembly, 10. 241.
Westminster Confession, 7. 815; **8.** 322.
Westminster courts, 9. 912; **23.** 872.
model for N. C., **3.** 136.
powers of judges given to judges in N. C., **25.** 435.
practice of followed, **23.** 253, 254.
privileges of judges granted to N. C. judges, **23.** 688.
writs of, **25.** 153.
Westminster Hall, 2. 635.
Westmore, ——, buys clothing, &c., **13.** 29.
Westmore (Wetmore), Mr., goods of seized, **12.** 559, 624, 662, 741-742, 745; for public, **13.** 47.
owns the Rainbeau and the Fanny, **14.** 107.
Westmore, J., to Caswell on sale of goods, **13.** 18, 19.
Westmore (Wetmore) and Savage, allowance to, **13.** 601, 712, 713, 715; **19.** 370.
import goods, **15.** 21-22.
Westmoreland, Earl of, 3. 7.
at Board of Trade meeting, **2.** 816; **3.** 61-5, 394-8.
on appointment of Johnston, **3.** 439.
on instructions to gov. of C., **2.** 393-394.
to Burrington on Smith, **3.** 344-345.
to Gooch on boundary survey, **3.** 16.
to King on courts for trial of pirates, **3.** 81-82; on N. C. seal, **3.** 79.
to Newcastle on Everard's land grants, **3.** 83.
Westmoreland Co., bill to erect, **8.** 353, 360, 403.
Westmoreland Co., Va., tithables in 1756, **5.** 565.
Weston, Amos, army rank, **16.** 1188.
Weston, Benj., enters caveat, **6.** 77.
Weston, Edward, juror, **2.** 553.
Weston, James, pensioner, **22.** 91.
Weston, Jno., army rank, **16.** 1191.
Weston, John, land warrant to, **6.** 761.
Weston, Malachi, in militia, **22.** 326.
Weston, Thos., in militia, **22.** 326.
Weston, Wm., in militia, **22.** 326.
Weston, Wm., juror, **2.** 474.
Weston, Wm., juror, **4.** 522.
Weston, Wm., juror, **25.** 186.
Weston, Wm., land grant to, **4.** 602.
Weston, Wm., quit rents of, **22.** 258.
Westphalia linen, 16. 922.
Westray, Dan'l, pensioner, **22.** 90.
Westray, Samuel, memorial, **21.** 247, 250, 336-337, 355, 434, 610, 682.
money from, **21.** 1064; to, **21.** 1067.
owes State, **21.** 1076.
Wetmore. See Westmore.
Wetock River, Indians of join Tuscaroras, **1.** 934.
See also Weetock Indians.
Weyanoke, 1. 660.
See also Wyanoke Creek.
Weyberg, ——, a patriot, **8.** 733.

Weyberg, Rev. ——, pastor of Stoner Church, **8**. 737.
Weyberg, Rev. Samuel, instructs Boger, **8**. 749.
Weyman, Edward, prisoner, **15**. 393.
Weymouth, Lord, gives bounty to missionaries, **1**. 600, 601, 602, 603.
Weymouth, Viscount, at Board of Trade meeting, **1**. 557-558.
Weymouth, Wm., juror, **4**. 519.
Weymouth, Wm., quit rents of, **22**. 251.
Weymouth, 12. 461.
Whale fishing, 5. 159.
British act to encourage, **6**. 1081.
leased, **2**. 490.
liberty to catch w. given inhabitants for 7 years, **1**. 338.
on coast, **5**. 346.
report on wanted, **1**. 706.
to be encouraged, **3**. 99.
value in N. C., **2**. 722.
Va. claims sole authority for, **2**. 397-398.
Whale oil and bone, claimed by judge of admiralty ct., **3**. 214.
received by Little, **3**. 231.
Whaler, John, exempted, **6**. 1299.
Whales, instructions on ownership of, **5**. 1134-1135.
taken on coast and law suit over, **1**. 419.
to be taken by N. E. men on N. C. coast, **2**. 175-6.
to go to Proprs., **25**. 135.
Whaley, Ambrose, army pay, **17**. 259.
Whaley, Ezl., army rank, **13**. 521; **16**. 1187.
pensioner, **22**. 89.
Whaley, Francis, army rank, **16**. 1188.
Whaley, Jno., army rank, **16**. 1188.
Whaley, Jno., in militia, **22**. 342.
Whaley, Wm., in militia, **22**. 342.
Whaney, 14. 617.
Wharie River, act on passage of fish, **24**. 849-50.
See also Uhwarrie River.
Wharley, Daniel, on S. C. petition, **1**. 637-640.
Whartob (Wharton?), James, inquest on, **22**. 860.
Wharton. See Wherton, Whorton.
Wharton, ——, **4**. 443.
Wharton, Lord, 14. 668.
Wharton, David, land escheat, **2**. 70-71.
land grant asked, **4**. 441.
land grant to, **4**. 595.
Wharton, Ed., juror, **25**. 187.
Wharton, Edward, juror, **4**. 519.
Wharton, Jas., army rank, **16**. 1185.
Wharton, Jno., in militia, **22**. 76.
Wharton, John, rights proved, **4**. 598.
Wharton, Leml., army rank, **16**. 1180.
Wharton, Maddock, in militia, **22**. 266.
Wharton, Wm., asks relief from church tax, **9**. 95-97.
Wharton, Wm., in militia, **22**. 162.
Wharton, Wm., indicted for counterfeiting, **8**. 539.
Wharton, Wm., petition on who are tithables, **9**. 97-98.
Whately, Mr., letters of sent to Boston, **9**. 829-830.
Whately, Thomas, to Privy Council on S. C. Boundary, **8**. 573-574.
Whatley, Shurley, petitions for repeal of tax on free negroes, **6**. 982-3.
Whatson, Ephm., army rank, **16**. 1188.
Whealer. See Wheeler.
Whealer, Hen., juror, **25**. 189.
Whealy, Wm., witness, **11**. 523.
Wheat, act on time of payment, **23**. 55; **25**. 160; to forbid exportation, **25**. 255-6; to put on rated list, **25**. 206.
as currency, **1**. 455, 621, 623; **2**. 84.
cultivation increased, **9**. 621.
exportation allowed, **1**. 852; **4**. 222; forbidden, **4**. 73-74; **7**. 226-227.
report on growing of, **6**. 1030.
value, **7**. xix.
Wheatley, Benj., a J. P., **4**. 1239.
agent for Granville, **5**. 779, 1092; **6**. 293.
attorney for Earl Granville, **6**. 543-544, 545, 546.
claims, **6**. 212.
commission as naval officer, **11**. 109-110.
complains of plunder taken away, **4**. 891-2.
dead, **6**. 41, 42, 73; **11**. 134.
land grant to, **4**. 886, 960-961, 1049.
letter to ment'd, **6**. 310.
payment to, **5**. 973.
placed in naval office, **4**. 1075.
witness, **4**. 502.
Wheatley, Benj., major, **20**. 272, 460.
Wheatley, Ben., petition on names, **21**. 964.
Wheatley, George, on Surry S. C., **10**. 251.
Wheatley, John, witness, **1**. 595.
Wheatley, Samuel, a J. P., **4**. 47.

Wheatley, Samuel, juror, **4.** 525.
Wheatly, Alfred, patroler, **10.** 451.
act to legitimatize children, **25.** 101.
Wheatly, Benj., act to change name from Nobles, **25.** 101.
Wheatly, Benj., in militia, **22.** 371.
Wheatly, Henry, act to change name from Nobles, **25.** 101.
Wheatly, Jas., in militia, **22.** 284.
Wheatly, John, helps hire minister, **1.** 616.
Wheatly, Lydia, act to change name from Nobles, **25.** 101.
Wheatly, Mary, act to change name from Nobles, **25.** 101.
Wheatly, Sam., land grant to, **4.** 618.
Wheaton, Issac, petition on C. H., **9.** 806-7.
Whedbee. See Widbee, Whidbey, Whitbee, Whitby, Whitebee.
Whedbee (Whedby, Whitby, Whitbey, Whitbe, Whittbey), John, a justice, **1.** 485, 486, 487, 488, 490, 495, 496, 520, 522, 524.
administrator, **2.** 68.
appraiser, **1.** 421, 443.
estate, **1.** 564.
gift from, **1.** 486.
law suits, **2.** 83, 101, 102.
petition, **2.** 67.
Whedbee, John, in assembly, **9.** 1189.
Whedbee, John, in assem., **19.** 12, 35, 36.
Whedbee (Whitbed), John, dropped as J. P., **6.** 1008.
Whedbee, John, Jr., in Prov. Cong., **9.** 1042, 1049, 1179.
Whedbee, Joseph, petitions on county bounds, **9.** 633-635.
Whedbee (Whidbee, Whidby, Whitby, Whittbee), Richard, 2. 526.
address to King, **3.** 134-135.
executor, **2.** 109, 550.
juror, **2.** 552.
vestryman, **2.** 208.
Whedbee (Whedbey), Richard, army pay, **17.** 256.
army rank, **16.** 1184.
in assembly, **16.** 2, 29, 49, 130.
lieut., **10.** 944.
Whedbee, Richard, juror, **4.** 518.
Whedbee, Richard, petitions on county bounds, **9.** 633-634.
Whedby (Whitby), Deborah, bondsmen on estate of discharged, **1.** 611.
estate, **1.** 564.
gift to, **1.** 486.
guardian for, **1.** 564.
petition, **1.** 605; for estate of, **1.** 621.
See also Whedbee.
Whedby (Whitby), Richard, gift to, **1.** 486.
guardian for, **1.** 563-564, 566.
Wheelas, Butson, army pay, **17.** 258.
Wheeler. See Whealer, Wheelor, Whelar, Whelor.
Wheeler, ——, **15.** 663.
Wheeler, Mr., **19.** 883.
Wheeler, Mr., and slave, **18.** 625.
Wheeler, Capt., **18.** 623.
Wheeler, Amos, sergt. of horse, **15.** 509.
Wheeler, Asa, army rank, **16.** 1191.
Wheeler, Benjamin, prisoner, **17.** 1046.
Wheeler, Davd., army rank, **16.** 1192.
Wheeler, Emperor, army rank, **16.** 1193.
claim, **9.** 488; allowed, **9.** 414, 527, 528, 536; **22.** 879.
Wheeler, George, gives receipt for money, **15.** 742.
Wheeler, Henry, in militia, **22.** 164.
Wheeler, Henry, pensioner, **22.** 91.
Wheeler, Ignatius, exempted, **9.** 451.
Wheeler, Isaac, brings negro from N. S., **18.** 663, 680, 681.
Wheeler, James, petition on separation, **22.** 705-13.
Wheeler, John H., History of N. C. quoted, **22.** 117, 118, 731.
reprint from, **10.** 239-242.
Wheeler, Joseph, land grant to, **4.** 447.
Wheeler, Martin, in militia, **22.** 365.
Wheeler, Martin, in militia, **22.** 375.
Wheeler, Samuel, army pay, **17.** 260.
in army, **13.** 513.
Wheeler, Samuel, in militia, **22.** 160.
Wheeler, Samuel J., quoted, **5.** 1180.
Wheeler, Wm., horseman, **15.** 509.
Wheeler, Wm., in militia, **22.** 376.
Wheeler, Wm., takes oath, **22.** 171.
Wheelers, Sion, army pay, **17.** 257.
Wheeler's, 13. 280, 283; **15.** 424, 514, 663, 716; **16.** 284; **19.** 883; **22.** 539, 547, 581, 583, 595, 1030, 1032.
Wheeling, Richard, to be furnished with express, **13.** 869, 961.
Wheelis, Sion, army rank, **16.** 1188.
Wheelock, B., to Burrington on his council, **3.** 84.
Wheelock, John, payment to, **17.** 561; **18.** 668.
Wheelor. See Wheeler.

Wheelor, Benj., army rank, **16**. 1190.
Wheelor, Davd., army rank, **16**. 1189.
Wheelow, H. Edwd., army rank, **16**. 1190.
Wheels, bill for patent on, **20**. 559-60.
Wheelwright, boy to learn trade of, **1**. 577.
Wheely, Ezekial, in army, **13**. 527.
Wheeton, Daniel, voter, **15**. 237.
Whelar. See Wheeler.
Whelar, George, in army, **15**. 740.
Whelor, Saml., army rank, **16**. 1181.
Whenly, Patrick, exempted, **9**. 451.
Wheny, Anthony, rights proved, **4**. 705.
Whenzie, Lt., killed, **15**. 757.
Wherrey, Anthony, in militia, **22**. 319.
Wherry, Anthony, buys land, **1**. 611.
Wherry, Anthony, land grant to, **4**. 707.
quit rents of, **22**. 254.
Wherry's Branch, **4**. 1051.
Wherton. See Wharton.
Wherton, Jane M., land grant to, **4**. 1250.
Whetehead. See Whitehead.
Whetehead, Wm., gets patent corrected, **4**. 330.
Whetmore, Charles, pensioner, **22**. 90.
Whetstone Hill, **25**. 43.
Whicker, John, takes oath, **22**. 170.
Whickless Ferry, bill for bridge over, **4**. 1055, 1056, 1057, 1061, 1064.
Whidbee. See Whedbee.
Whidbee, ——, on com. of assembly, **16**. 63.
Whidbee (Whadbee), John, a J. P., **4**. 346.
Whidbee, John, dismissed by court, **2**. 514.
Whidbee, Joseph, a J. P., **23**. 994.
Whidbee, Richd., in assem., **19**. 396.
Whidbee's Creek, **1**. 523.
Whidbey, John, in militia, **22**. 497.
Whidbey, Rich'd, vestryman, **23**. 7.
Whiggery, Martin to assem. on, and answer, **9**. 1191-1195, 1198.
Whigs, **22**. 97, 114, 133, 138, 140, 1040.
activity and zeal of, **16**. ix.
captured by tories, **16**. ix.
scattered in Chatham, **22**. 585.
threatened by Craig, **22**. vi.
violence by, **19**. 861.
See also Revolution, Tories, etc.
Whight. See White.
Whight, Wm., land grants to, **4**. 1246.
Whilbancks, Robt., in militia, **22**. 383.
Whilkins, Thomas, asks for new county, **9**. 89-90.
Whilks, Matthew, exempted, **7**. 584.
Whilleff, Wm., land grant to, **4**. 638.
Whilley, Arthur, in army, **13**. 522.
Whimes, Major, to join Br., **14**. 617.
Whipping, as punishment, **2**. 87, 158, 446, 468, 474, 478, 511, 548, 589, 595, 667, 716, 826, 827; **10**. 6; **23**. 59, 114, 139, 167, 172, 184, 192, 194, 199, 225, 280, 295, 393, 435, 436, 455, 465, 647, 730, 798, 802, 868, 916, 917; **24**. 33, 134, 170, 189, 207, 269, 277, 596, 597, 729, 795; **25**. 504, 513.
for fornication and adultery, **1**. 626.
for giving birth to bastard, **2**. 87.
for theft, **4**. 597.
used, **1**. 401.
Whipping Post. See Public Buildings.
Whipple, ——, pays for N. H., **17**. 560.
Whipple, Capt., at council of officers, **15**. 29.
on defense of Charleston, **15**. 39-40.
Whipple, Gen., **14**. 669.
Whipple, Abraham, at council of war, **14**. 805-806.
Lincoln to on defense of Charleston, and answers, **15**. 34-47.
Whipple, Wm., pays money to U. S., **16**. 928, 929.
Whipple, Wm., to Caswell on resources and supplies in State, **13**. 272-273.
Whisenhunt, Philip, values property, **22**. 232.
Whiskey, bill to forbid distilling of, **12**. 180, 185, 355, 375.
issued, **16**. 265.
request for, **16**. 236-237.
See also Liquors.
Whiskey Insurrection, and H. Husband, **8**. xxv.
Whit, Charles, pensioner, **22**. 91.
Whit, Jacob, regulator, **7**. 734.
Whit, Patrick, land grant to, **4**. 892.
Whit, Ulrick, regulator, **7**. 733.
Whitacre, John, trial, **10**. 4.
Whitaker, ——, controls St. John, **3**. 393-394.
Whitaker, Benj., allowance to, **19**. 145-146, 147, 149, 201, 259, 263-264, 297, 328, 331.
Whitaker, Henry, land grant to, **4**. 1039.
Whitaker, Hudson, ensign, **10**. 989.
Whitaker, James, furnishes historical materials, **5**. 1192.

Whitaker, John, 18. 426.
a J. P., **23.** 994.
accounts of as tobacco commissioner, **18.** 25, 253, 261.
ammunition to be delivered to, **13.** 622, 734*e*, 734*k*.
and State tobacco, **20.** 136, 208, 406-407, 414.
claim, **21.** 235, 236, 249, 270-271, 287, 434, 607, 633.
colonel of light horse, **13.** 734*f*.
coms'r on boundary, **24.** 249.
delivers tobacco, **20.** 737, 761.
in assembly, **12.** 655, 657, 699, 733, 736, 816, 872, 879; **13.** 641, 642, 690, 708, 709, 712, 717, 721; **17.** 265, 269, 293, 304, 354, 359, 364, 365, 366, 368, 387, 394, 395, 406, 715; **19.** 143, 162, 178, 180, 207, 234, 235, 252, 263, 280, 282, 286, 295, 324, 334, 338, 354, 359, 377, 379, 387, 389; **20.** 7.
in conv. 1789, **22.** 37, 47, 48.
major, **10.** 1001; of militia, **12.** 604, 712; and colonel, **14.** 262, 263.
on com. of assem., **12.** 554, 660, 777, 788, 823, 834, 846, 847; **13.** 534, 577, 626, 627, 680; **17.** 277, 278, 303, 647, 727, 731, 755.
owes State, **21.** 1074.
receives pay for soldiers, **17.** 230.
resigns as col., **22.** 966.
resolve in favor of, **19.** 557, 560.
to Caswell on prisoners, and answer, **20.** 747-749; on State tobacco and answer, **18.** 583, 588, 603, 656, 744; **20.** 658-659, 674-675, 680, 687-688, 693-694, 716, 726.
to Whitehead on tobacco, **20.** 724-725.
tobacco coms'r, **17.** 416; **20.** 100, 103.
Whitaker, Joseph, army pay, **17.** 258.
Whitaker, Mark, pay to, **22.** 1013.
Whitaker, Moses, imported, **1.** 568.
Whitaker, Richard, a J. P., **4.** 966.
Whitaker, Robt., in militia, **22.** 376.
Whitaker, Robt. L., pensioner, **22.** 90.
Whitall (Whitsell), 18. 215.
Whitbee. See Whedbee, Whidbee.
Whitbee, Rich., in assembly, **25.** 159.
juror, **3.** 282, 319.
Whitby, George, in assembly, **4.** 1182.
Whitby, Richard, to take care of niece, **1.** 604, 605.
Whitby's Annotations, 2. 120.
White. See Whete, Whight, Whit.
White, ——, 6. 563.
White, ——, exchange considered, **16.** 150.
White, ——, law suit, **1.** 392.
White, ——, location, **15.** 307.
White, ——, major, **10.** 497.
White, ——, seizes Harris, **6.** 781.
White, Mr., 17. 490, 493.
White, Mr., 18. 290.
White, Mr., preaches in Phila., **9.** 1066.
White, Mr., to get supplies for Gates, **14.** 420.
White, Widow, 8. 623.
White, Widow, act for road to house of, **24.** 298-9.
bill for road from house of, **13.** 866, 878, 886, 951, 969, 974; **19.** 417, 744, 748, 791.
White, Capt., 2. 747.
White, Capt., 8. 257.
White, Capt., on Lamb's trial, **14.** 352.
on courtmartial, **19.** 909.
roster of co., **16.** 1005, 1014, 1030, 1042, 1043, 1051, 1061, 1071, 1076, 1090, 1103, 1113, 1135, 1145, 1156, 1170, 1178, 1184, 1194.
troops, under, **15.** 73.
White, Dr., adjutant, **10.** 243.
White, Gov. (W. I.), **20.** 466.
White, Lt., dead, **15.** 757.
White, Lt. Col., rank of settled, **12.** 528.
White, Abraham, quit rents of, **22.** 251.
White, Alice, law suit, **1.** 611.
White, Anne, gives power of att'y, **1.** 625.
sells, **1.** 654.
White, Anthy., land grant to, **4.** 595.
White, Anthony W., 14. 395, 504, 508, 701, 834, 846; **15.** 368.
cavalry not equipped, **15.** 66.
orders to, **14.** 805.
sick, **14.** 656, 664.
to Gates on condition of his regiment, **14.** 510-512; on movement of troops, **14.** 702-703; on troops, **14.** 582-583.
White, Archibald, juror, **22.** 502.
White, Arnold, attorney, **1.** 650.
buys land, **1.** 489.
sells, **1.** 650.
signs Quaker petition, **1.** 252.
White, Arnold, quit rents of, **22.** 254.
White, Arnold H., quit rents of, **22.** 254.
White, Augustin, regulator, **7.** 737.

White, Benajah, claim allowed, **18.** 329.
White, Benj., army rank, **16.** 1191.
White, Benj., army rank, **16.** 1193.
White, Benj., building coms'r, **24.** 630.
White, Benj., certificate to drafted Quakers, **13.** 275.
White, Benj., in militia, **22.** 354.
White, Benj., pensioner, **22.** 92.
White, Burgess, in militia, **22.** 280.
White, Burrall, army rank, **16.** 1188.
White, Caleb, certificates to drafted Quakers, **13.** 274-275.
petitions for Quakers, **17.** 312.
White, Charles, regulator, **7.** 733, 736.
White, Chrisr., army rank, **11.** 89.
White, Church, army rank, **16.** 1191.
White, Churchill, army rank, **16.** 1193.
White, Conyers, claims, **17.** 333; **20.** 40, 47.
petitions, **18.** 16, 36, 38, 51, 268; **21.** 737, 742, 745, 751, 884, 885, 892, 899, 900.
White, Danl., army rank, **16.** 1183.
White, Danl., army rank, **16.** 1186.
White, Daniel, in army, **13.** 525.
White, Daniel, resurvey to, **7.** 120.
White, Davd., army rank, **16.** 1193.
pensioner, **22.** 90.
White, David Lindsey, **18.** 224, 225, 447, 452, 457.
petition of widow, **20.** 326, 380.
White, Dempsy, army rank, **16.** 1181.
White, Devotion, in militia, **17.** 1054.
White, Diana, law suits, **1.** 406, 407, 409-410, 412, 413, 417, 418, 432, 434, 443-444, 446-447, 448, 449, 450, 479, 488, 489.
White, E., **20.** 665.
White (Whitte), Ebenezer, juror, **2.** 102, 104.
law suit, **2.** 69, 83, 102.
power of attorney proved, **2.** 112.
White, Edwd., army rank, **16.** 1191.
White, Elisha, army rank, **16.** 1189.
White, Ezkl., army rank, **15.** 718; **16.** 1182.
White, F., payment to, **13.** 350.
White, Garet, petitions for new charter, **9.** 79-80.
White, George, army pay, **17.** 256.
White, George, army pay, **17.** 260.
White, Geo., army rank, **16.** 1182.
White, Geo., army rank, **16.** 1189.
White, Geo., army rank, **16.** 1192.
White, George, in army, **15.** 718.
White, George, in militia, **22.** 357.
White, George, juror, **4.** 516.
White, Geo., juror, **25.** 186.
White, George, land grant to, **4.** 329.
White, Geo., quit rents of, **22.** 243.
White, Geo., quit rents of, **22.** 258.
White, Haines, army rank, **16.** 1188.
White, Hampton, army pay, **17.** 257.
army rank, **16.** 1190.
White, Henry, **5.** 1208; **6.** 759.
White, Henry, a J. P., **3.** 234; **4.** 345, 713.
in assembly, **3.** 283, 285, 289, 635; **4.** 652, 723, 740, 770, 779, 815, 1181, 1190.
land grant to, **4.** 1250.
warrant against, **4.** 750.
White, Henry, appraiser, **1.** 435.
gives power of att'y, **1.** 549.
justice, **1.** 396-398.
lays off widow's dower, **1.** 585.
Quaker meeting at house of, **1.** 552.
signs Quaker petition, **1.** 252.
to go to quarterly meeting **2.** 37.
White, Henry, army pay, **17.** 257.
army rank, **16.** 1180.
White, Henry, in army, **15.** 730.
in assem., **6.** 893, 1152; **7.** 342, 343, 401; **8.** 106, 110, 145, 303, 304, 326, 345, 422, 444, 454; **9.** 136, 139, 223, 396, 447, 448, 494, 565, 587, 734.
on com. of assem., **6.** 896.
White, Henry, pay to, **22.** 489.
White, Henry (of N. Y.), **10.** xxx.
agent for Martin, **10.** 233.
letter to Martin intercepted and explained, **10.** 74-75, 85; ment'd, **10.** 84.
Martin to on army supplies, **10.** 16.
White, Mrs. Henry, **10.** 16.
White, Hillary, a J. P., **4.** 713.
White, I., to Caswell on food and clothes for Ga. troops, and answer, **11.** 685-687, 692-693.
White, Isaac, asks relief from church tax, **9.** 95-96.
White, Isaac, in militia, **22.** 163.
White, Isaac, petition on separation, **22.** 705-13.
White, Isaac, petition on who are tithables, **9.** 97.
White, Isaac, prisoner, **17.** 1046.
White, Isack, takes oath, **22.** 177.
White, Jacob, Jr., army rank, **13.** 518; **16.** 1187.
White, Jacob, Sr., in army, **13.** 519.
White, James, **25.** 3.

White, James, act for Beaty to sell lands of, **25**. 47-8.
White, James, army pay, **17**. 256.
army rank, **16**. 1185.
White, James, artificer, **15**. 472, 478.
White, James, asked for report from C. C., **18**. 82, 87, 92-93, 105, 134, 320, 327, 352, 359, 364.
Caswell to on representation in C. C., and answer, **18**. 569-570, 582-583, 648-649, 677, 770.
coms'r on school, **24**. 869.
dissuades Tenn. against turning to Spain, **22**. 792.
in assembly, **17**. 264, 266, 293, 304, 354, 359, 364, 365, 366, 368, 387, 391, 394, 395, 406, 425; **19**. 372, 489, 502, 505, 512, 551, 571, 581, 605, 613, 614, 622, 643, 671, 682, 714, 717, 719, 794, 804, 808, 816, 822, 824, 827, 834; **21**. 194, 195, 199, 209, 212, 234, 264, 288, 294, 305, 332, 344, 345, 367, 372, 379, 382, 402, 411, 431, 583, 584; **17**. 338; **18**. 80, 100, 313, 337, 538, 572, 577, 582, 588, 591, 594, 601, 641, 646, 671, 709, 718, 726, 747, 754.
in C. C., **20**. 50, 230, 244, 423, 430, 792; **21**. 441, 475, 494.
in conv. 1789, **22**. 37, 47, 48.
Johnston to on Indian affairs and C. C., and answer, **21**. 454-455, 465-467, 469-470.
letter to Gardoqui, **21**. 464, 465.
nom. for U. S. Senator, **21**. 253, 273, 614, 627.
resigns as J. P., **20**. 138, 143, 324.
S. S. of Franklin, **22**. 714, 727.
supt. of Indian affairs and directions, **18**. 756, 760, 762.
to Caswell on appt. to C. C., and answer, **18**. 518, 522; on public affairs and answer, **20**. 713, 715.
to Hogg on Burke, **20**. 790-791.
White, James, bill to give certain power to executors, **21**. 637.
petition of administrator, **21**. 336, 347, 375, 396, 400, 677, 678, 705, 710.
White, James, claims, **9**. 590; allowed, **9**. 225.
White, James, coms'r on pub. buildings, **24**. 19.
White, James, coroner, **9**. 298.
White, James, debts due by, **8**. 278-279; as sheriff, **9**. 574.
White, James, imported, **1**. 650.
White, James, in assem., **9**. 1188, 1189.
in Prov. Cong., **9**. 1178, 1179, 1181; **10**. 165, 168, 172, 186, 500, 502, 523, 541, 914, 916, 960; on com. of Prov. Cong., **10**. 168, 174.
on S. C. of Bladen, **10**. 112.
petition, **10**. 950, 964.
to make arms, **10**. 539.
to take depositions, **13**. 827.
White, Jas., in militia, **22**. 376.
White, Jas., in militia, **22**. 379.
White, Jas., in militia, **22**. 395.
White, James, lieut., **10**. 937.
White, James, militia captain, **24**. 292.
White, James, officer and J. P., **22**. 719.
White, James, pirate and witness, **2**. 341, 349.
White, James, regulator, **7**. 737.
White, James, town coms'r, **23**. 920, 922.
White, James, voter, **15**. 237.
White, James (Richard), contests election, **18**. 230, 243.
in assembly, **18**. 245, 258, 284, 287, 298, 311, 312, 317, 344, 345, 346, 351, 357, 360, 361, 362, 376, 389, 399, 412, 429, 440, 443, 469, 470, 471; on com. of assem., **18**. 33, 54, 262.
White, James, Jr., and destruction of Waddell's powder, **8**. 622-623.
pardon asked for, **9**. 57.
White, James Taylor, petition, **17**. 288, 294; **20**. 21.
White, Jeremiah, imported, **1**. 394, 396.
White, Jerome, on council of Md., **1**. 151.
White, John, a J. P., **4**. 951, 1041, 1243.
claim allowed, **5**. 981.
land grant to, **4**. 1243.
petition on cattle and hides, **5**. 745-746; on roads and ferries, **5**. 164-166.
White, John, accounts of Toomer in supplying to be examined, **12**. 412; with State settled, **12**. 92.
bills of indorsed by N. C., **12**. 22, 23.
White, John, allowance to, **22**. 865.
White, John (of Ga.), instructed to release Rowling, **12**. 292.
letter of referred to assembly and provisions furnished to troops of, **12**. 339, 348.
Pile reports on proceedings of in enlisting for Ga., **12**. 129, 130-131.

reports on invasion of Georgia, **13.** 499.
troops of furnished with provisions and clothes, **12.** 171-172.
White, John, act for land to, **24.** 629-30.
land grant to, **19.** 572.
White, John, and parole, **19.** 17.
White, John, army pay, **17.** 256.
White, John, army pay, **17.** 259.
White, Jno., army rank, **16.** 1181.
White, Jno., army rank, **16.** 1182.
White, Jno., army rank, **16.** 1184.
White, Jno., army rank, **16.** 1185.
White, Jno., army rank, **16.** 1188.
White, Jno., army rank, **16.** 1192.
White, John, army record, **13.** 480.
White, John, captain, **10.** 187, 287.
White, John, claim disallowed, and allowance to, **12.** 24.
White, John, gives property, **1.** 487.
justice of general court, **2.** 572.
law suit, **1.** 611.
White, John, hanged, **22.** 237.
White, John, in army, **15.** 727.
White, John, in militia, **17.** 1042.
White, John, in militia, **17.** 1056.
White, Jno., in militia, **22.** 306.
White, Jno., in militia, **22.** 357.
White, Jno., in militia, **22.** 396.
White, John, juror, **2.** 477.
White, John, juror, **4.** 519.
White, John, land grant to, **4.** 52, 55, 279, 590, 635, 968, 1039.
White, John, major, **10.** 495, 509.
White, John, owes State, **21.** 1068.
White, John, pardon asked for, **9.** 57.
White, John, pay to, **22.** 457.
White, John, pensioner, **22.** 89.
White, John, petition, **4.** 494.
White, John, petition on C. H., **9.** 806-808.
White, John, quit rents of, **22.** 243.
White, John, quit rents of, **22.** 243.
White, John, quit rents of, **22.** 251.
White, John, regulator, **7.** 734.
White, John, regulator, **7.** 736.
White, John, road coms'r, **23.** 221.
White, John, salt to, **14.** 449.
White, John, to deliver copy of accounts, **18.** 20, 249.
White, John, witness, **4.** 665.
White, John, witness, **4.** 1137.
White, John, Jr., destroys Waddell's powder, **8.** 623.
White, John, Jr., juror, **2.** 80.
White, John, Jr., juror, **25.** 186.
White (Whitte), John, Jr., witness, **2.** 84.
White, John, Sr., juror, **2.** 80.
White, John, Sr., prosecuted for retailing liquor, **2.** 363, 369, 402, 403.
White (Whitte), John, Sr., witness, **2.** 84.
White, John Plowman, land grant to, **4.** 675.
White, John Plur., land grant asked, **4.** 706.
White, Jonathan, a J. P., **5.** 591.
coms'r on C. H., **23.** 297.
White, Jonathan, in militia, **22.** 334.
White, Jonathan, in militia, **22.** 346.
White, Jonathan, in militia, **22.** 359.
White, Jona., quit rents of, **22.** 251.
White, Jonathan, takes oath, **22.** 169.
White, Jonathan, wanted as capt. of militia, **5.** 425.
White, Jonathan, Jr., in militia, **22.** 365.
White, Jonathan, Jr., in militia, **22.** 376.
White, Joseph, a J. P., **4.** 889, 951, 1243.
in assembly, **6.** 800.
land grant to, **4.** 946, 952, 1239; **6.** 1086.
resurvey granted to, **6.** 772.
White, Jos., army rank, **16.** 1187.
White, Jos., ensign, **10.** 936.
White, Jos., in militia, **17.** 1054.
White, Jos., in militia, **22.** 346.
White, Jos., in militia, **22.** 358.
White, Jos., major, **20.** 272, 460.
White, Jos., quit rents of, **22.** 251.
White, Joseph, regulator, **8.** 79.
White, Jos., sheriff and vestryman, **23.** 344.
White, Joseph, town coms'r, **25.** 367.
White, Joseph, Jr., land grant to, **4.** 946, 1033.
White, Jos., Sr., army rank, **16.** 1187.
White, Josh., in militia, **22.** 310.
White, Joshua, in militia, **22.** 333.
White, Joshua, quit rents of, **22.** 251.
White, Littleberry, petition, **16.** 121, 126.
White, Luke, **23.** 629.
White, Luke, a J. P., **4.** 48.
complaint against, **2.** 510.
dismissed by court, **2.** 554.
juror, **2.** 597, 830.
White, Luke, juror, **4.** 516, 520.
White, Luke, juror, **25.** 185.
White, Luke, juror, **25.** 188.

White, Luke, land grant to, **4.** 591.
White, Luke, quit rents of, **22.** 244.
White, Luke, quit rents of, **22.** 247.
White, Luke, quit rents of, **22.** 258.
White, Malachi, army pay, **17.** 259.
army rank, **16.** 1183.
White, Malack, soldier, **18.** 797.
White, Margery, witness, **1.** 580, 582.
White (Whitte), Mary, assigns right of administration, **2.** 80.
White, Mary, imported, **1.** 580.
White, Mary, petition, **18.** 177, 184, 224-225, 407, 447, 452, 457; **20.** 148, 209, 326, 329, 380, 394.
White, Mattw., army rank, **16.** 1184.
White, Matthew, land grant to, **4.** 853.
White, Medea, quit rents of, **22.** 243.
White, Media, bad man, **21.** 752.
White, Media, juror, **2.** 597.
White, Media, juror, **25.** 186.
White, Meeds, in militia, **17.** 1055.
White, Mordecai, petitions for Windsor as C. H., **9.** 804-806.
White, Moses, exempted, **6.** 1266.
White, Moses, in militia, **22.** 398.
White, Mundy, army pay, **17.** 261.
White, Nicholas, case of, **16.** 684, 685, 694, 699.
exchange desired, **16.** 319, 326.
trial, reprieve, and protection to, **16.** 263, 266-269, 270.
to be exchanged, **19.** 98-9.
White, Noah Smith, outlaw, **11.** 731-732.
White, Oliver, petitions for new charter, **9.** 79-80.
White, P., does not deliver letter, **17.** 505.
White, Patrick, abuses Miller, **1.** 296-297.
beats Miller, **1.** 259.
Crow Island granted to, **1.** 516.
in assembly, **1.** 273, 299.
leader in Culpepper Rebellion, **1.** 266, 276, 277, 279, 292, 297, 310-311.
White, Paul, account of Pitt Co. with settled, **10.** 422.
imports ammunition, **10.** 321.
reports on importation of ammunition and accounts settled, **10.** 346-347, 354.
White, Paul, in militia, **22.** 325.
White, Paule, shipmaster, **8.** 261.
White, Peter, army pay, **17.** 257.
White, Peter, army pay, **17.** 263.
White, Peter, army rank, **16.** 1188.
White, Peter, pensioner, **22.** 89.
White, Peter, land grant to, **4.** 1038, 1255.
rights proved, **4.** 1038.
White, Phila. Thomas, captain, **11.** 831.
White, Philip, army rank, **16.** 1189.
White, Richard, army pay, **17.** 258.
White, Richard, army pay, **17.** 263.
White, Rich'd, army rank, **16.** 1181.
White, Richard, in army, **13.** 529.
White, Rich'd, in militia, **22.** 307.
White, Rich'd, in militia, **22.** 371.
White, Richard, officer, **22.** 702.
White, Richard, petition for, **19.** 502, 513, 525.
White, Robert, Caswell to on provisions for troops, **14.** 159.
claim, **20.** 188, 364, 368; allowed, **18.** 330.
coms'r to locate pub. buildings, **24.** 880.
deposition ment'd, **22.** 9; on frauds, &c., **18.** 95, 326.
money from, **21.** 1066.
sheriff, **21.** 1073.
tax collector, **19.** 706.
White, Robert, debt of, **1.** 403.
tried and branded, **1.** 401, 402.
White, Robt., in militia, **22.** 354.
White, Robert, juror, **9.** 692.
White, Robert, money to, **22.** 961.
to sign bills, **22.** 937.
White, Robt., takes oath, **22.** 177.
White, Robt., Jr., a J. P., **23.** 993.
White, Robert, Jr., in militia, **22.** 318.
White, Robt., Sr., in militia, **22.** 318.
White, Sam'l, pay to, **22.** 486.
White, Samuel, pay to, **22.** 487.
White, Sarah, **20.** 254.
pensioned, **19.** 580, 584.
recommended, **19.** 516.
report in favor of, **21.** 334, 649.
White, Settlebury, petition, **19.** 83.
White, Sherwood, takes oath, **22.** 170.
White, Sime, prisoner, **17.** 1046.
White, Solomon, in militia, **22.** 325.
White, Stephen, army rank, **16.** 1180.
killed at Monmouth, **19.** 580.
White, Stephen, asks pardon for Fruit, **9.** 93-94.
White, Stephen, petitions for McDugal, **9.** 683-685.
White, Thos., a J. P., **4.** 951, 1041.
in assem., **3.** 562.
juror, **4.** 516.
letters of administration to be revoked, **6.** 1082.

petitions on roads and ferries, **5**. 164-166.
road coms'r, **23**. 221.
White, Thomas, army pay, **17**. 256.
White, Thomas, army pay, **17**. 256.
White, Thomas, army pay, **17**. 257.
White, Thos., army rank, **16**. 1184.
White, Thos., army rank, **16**. 1189.
White, Thomas, asks for new county, **9**. 89-90.
White, Thos., buys land, **1**. 434.
court held at house of, **1**. 405, 435, 438, 454-456.
debts of, **1**. 479.
law suits, **1**. 406-407, 409-410, 412-413, 417, 418, 432, 434, 443-444, 446-447, 448-449, 450, 452.
paid as witness, **1**. 401.
White, Thos., certificate to drafted Quakers, **13**. 275.
White, Thos., felon, **8**. 142.
prisoner, **22**. 854.
White, Thos., in army, **13**. 513.
White, Thos., in militia, **22**. 280.
White, Thos., lieut., **10**. 519.
White, Thomas, presents address to assembly, **9**. 176-177.
White, Thos., quit rents of, **22**. 254.
White, Thomas, signs Cumberland Co. Asso., **10**. 29-30.
White, Timothy, army rank, **16**. 1193.
White, Uldric, regulator, **7**. 735.
White, Valentine, asks relief from church tax, **9**. 95-96.
White, Valentine, in militia, **22**. 166.
White, Valentine, in militia, **22**. 379.
White (Whitte), Vincent, account against proved, **2**. 103.
estate settled, **2**. 80.
tried for theft, **1**. 401, 402.
White, Wallace, in army, **13**. 504.
White, Wm., **22**. 655.
White, Wm., appraiser, **1**. 549.
buys land, **1**. 490.
juror, **1**. 592, 594, 605, 623, 627.
property in hands of for orphans, **1**. 613.
proves power of att'y, **1**. 625.
road overseer, **1**. 535.
sells, **1**. 625, 654.
White, Wm., allowance to, **19**. 686.
White, Wm., army pay, **17**. 257.
White, Wm., army pay, **17**. 259.
White, Wm., army pay, **17**. 260.
White, Wm., army rank, **16**. 1180.
White, Wm., army rank, **16**. 1185.
White, Wm., army rank, **16**. 1185.
White, Wm., army rank, **16**. 1187.
White, Wm., army rank, **16**. 1188.
White, Wm., army rank, **16**. 1191.
White, Wm., army rank, **16**. 1192.
White, Wm., asks pardon for Hunter, **9**. 86.
White, Wm., asks pardon for regulators, **9**. 98-99.
White, Wm., Baptist minister, **5**. 1180.
White (Whitte), Wm., buys land, **2**. 111.
juror, **2**. 102, 104.
land lapses, **2**. 502.
law suit, **2**. 113.
White, Wm., clerk, **18**. 6, 104, 231, 331; **20**. 123, 303, 305.
petition, **18**. 13, 49, 240, 246, 279, 285; **20**. 200, 260-261, 271, 373-374, 382, 452.
White, Wm., destroys Waddell's powder, **8**. 623.
White, Wm. (son of widow), destroys Waddell's powder, **8**. 623.
White, Wm., in army, **15**. 726.
White, Wm., in army, **15**. 729.
White, Wm., in militia, **22**. 310.
White, Wm., in militia, **22**. 365.
White, Wm., in militia, **22**. 371.
White, Wm., in militia, **22**. 385.
White, Wm., in militia, **22**. 396.
White, Wm., juror, **4**. 520.
White, Wm., juror, **22**. 511.
White, Wm., land grant to, **4**. 329, 348, 707.
White, Wm., pardon asked for, **9**. 57.
White, Wm., presents address to assembly, **9**. 176-177.
White, Wm., prisoner, **16**. 672.
White, Wm., quit rents of, **22**. 254.
White, Wm., reënlists, **15**. 750.
White, Wm., reports on state of treasury, **18**. 455.
White, Wm., resigns as J. P., **21**. 765, 923.
White, Wm., signs Cumberland Co. Ass'n, **10**. 29-30.
surrenders charter of Campbelton, **9**. 270-271.
White, Wm., Jr., pardon asked, **9**. 57.
White, Willis, in militia, **22**. 348.
White, Willoughby, petition, **19**. 735.
White, Zachariah, act for land to, **24**. 629-30.
land grant to, **19**. 572.
White, Zachariah, in militia, **22**. 354.
White, (parole), **14**. 356.

White and Shaloner, money to, **22.** 810.
White Cabbin, talk of with Stuart and Barnard, **11.** 167-169.
White Church, 8. 752, 753.
White Co., Tenn., 22. 150.
White Hall, S. C., 22. 159.
White Hall Road, 23. 964.
White Haven, 10. 94.
White Haven (Gr. Br.), 10. 131.
merchants' memorial on confiscation, **19.** 952-955.
ships burned in harbor of, **13.** 461; do not come to N. C., **22.** 734.
White Haven Church, 8. 788.
Miller pastor of, **8.** 770.
White House, The, S. C., 22. 134.
White Marsh (Bladen Co.), 2. 748, 804; **5.** 1210; **12.** 528; **13.** 372; **14.** 616, 665; **22.** 298; **25.** 399, 463.
petition on roads, **5.** 1060.
White Marsh, Pa., 11. 677, 797, 799; **12.** 528; **13.** 372.
Amer. army at, **11.** 695, 818, 820.
Granbury tried at by court martial, **11.** 790-794.
return of N. C. troops in Cont. Army at, **11.** 676, 690.
White Marsh Camp, 15. 404.
White Marsh Causeway, 25. 481.
act for road, **25.** 399-401.
bill for road to, **6.** 160.
White Marsh Chapel, 5. 818.
White Marsh District, 23. 448.
act for road, **25.** 399-401.
White Marsh Swamp, 24. 148.
White Oak (White Oke), 3. 281, 318; **13.** 330; **14.** 253.
White Oak Baptist Ass'n, history, **5.** 1181-1182.
White Oak Co. District, report on militia in, **22.** 337, 338-9.
White Oak Creek, 7. 470, 853.
White Oak Dist., Onslow Co., road act for, **23.** 221.
White Oak Fort, 22. 128.
White Oak Inlet, 10. 978.
troops at, **10.** 546, 547.
White Oak lands, 1. 857; **2.** 772.
White Oak Mountains, 11. facing 80.
White Oak River, 3. 256, 442; **4.** 68, 1035; **11.** 798; **22.** 297; **23.** 120, 221; **24.** 311, 534, 590.
beef warehouse at mouth, **22.** 915.
inspection on, **24.** 581.
land to be taken up on, **2.** 167.
militia to be stationed on, **17.** 787, 789.
report of militia on, **22.** 337, 338-9.
settlements reach, **1.** xi.
White Owl, kills Boyd, **7.** 216-17.
White Plains, N. Y., 12. 511; **13.** ix, 471, 497; **15.** 561; **22.** 94.
army at, **22.** 977, 978.
battle of, **8.** 770.
headquarters at, **12.** 512, 513, 514, 515, 516, 517, 519, 522, 524, 525, 526, 530, 531, 533, 534, 535, 536, 537, 538, 540, 541, 542, 544, 546, 547; **13.** 211.
reports on N. C. troops at, **13.** 428, 504-508, 512-517, 521-523.
troops to march to, **12.** 506.
White Plains Camp, 13. 478.
White servants, tried for theft, **2.** 474-475.
See also Servants and Slaves.
White Woman's River, 5. 465.
Whitebee. See Whedbee.
Whitebee, Richd., quit rents of, **22.** 254.
Whitecan's Ferry, 14. 550.
Whitefield, Luke, land grants to, **4.** 635, 708, 1244.
Whitefield (Wheatfield), Reuben, petition in behalf of, **16.** 660.
Whitefield, Wm., juror, **25.** 189.
Whitefield, Wm., land grant to, **4.** 946.
Whitefield, Wm., on S. C. of Pitt, **10.** 38, 62.
Whiteford, Caleb, sec. to Br. peace com., **16.** 753.
Whitehall, Mr., collector, **6.** 621.
Whitehall, Alexander, roll of militia of, **17.** 1054-5.
Whitehall, Alex. L., owes State, **21.** 1072.
Whitehall, J., witness, **2.** 562.
Whitehall, Legrand, lieut., **10.** 546.
Whitehall, Robert, in assembly, **6.** 648, 662, 679, 680.
to be made major, **5.** 162.
Whitehall, W., furnishes cannon to Br., **13.** 326.
Whitehall, 2. 154, 188, 193, 234, 280, 281, 299-301, 388, 394, 481, 816, 817, 836; **3.** 17, 20, 25, 26, 31, 61, 62, 63, 64, 66, 75, 79, 82, 83, 84, 86, 88, 90, 120, 124-129, 210, 345, 346, 347, 349, 351, 355, 394, 395, 396, 397, 398, 438, 439, 497, 498, 532, 533, 534, 630, 632; **4.** 17, 27, 168, 202, 207, 249, 286, 420, 434, 444, 583,

757, 846, 847, 871, 875, 935, 954, 1082, 1161, 1167, 1168, 1177, 1178, 1205, 1207, 1208, 1209, 1210, 1311; **5**. xxxv, 16, 26, 31, 78, 108, 112, 123, 130, 144*d*, 330, 337, 340, 351, 352, 395, 396, 397, 399, 400, 403, 404, 405, 417, 420, 443, 448, 563, 607, 626, 630, 647, 648, 743, 744, 748, 756, 785, 786, 787, 789, 927, 959, 1107; **6**. 8, 24, 28, 42, 43, 47, 48, 50, 56, 262, 324, 538, 558, 582, 587, 592, 697, 701, 702, 720, 724, 972, 973, 976, 998, 1049, 1050; **7**. 95, 131, 217, 250, 251, 254, 438, 447, 532, 533, 536, 685, 707, 709, 712, 788, 799, 867, 872, 873, 883; **8**. 16, 21, 38, 39, 61, 170, 190, 229, 247, 264, 498, 554, 574, 621, 633; **9**. 1, 2, 8, 64, 227, 252, 274, 283, 300, 307, 351, 361, 374, 597, 598, 664, 680, 694, 815, 824, 825, 957, 987, 1007, 1077, 1108, 1120, 1137, 1138, 1186, 1240; **10**. 66, 89, 138*a*, 138*b*, 242, 247, 299, 306, 313, 364, 609, 793, 893; **11**. 16, 27, 34, 41, 79, 114, 115, 116, 120, 124, 135, 136, 137, 140, 145, 152, 154, 209, 211, 230, 235, 250, 704; **13**. 236; **15**. 147, 295; **17**. 990, 991; **22**. 190, 260.
court of, revokes Heath's charter, **1**. 42-43.
Whitehead. See Whithead.
Whitehead, ——, case of, **2**. 818.
Whitehead, Capt., on court martial, **15**. 431.
Whitehead, Col., Whitaker to on tobacco, **20**. 724-725.
Whitehead, Abra., land grant to, **4**. 642.
Whitehead, Arthur, asks for lapsed land, **2**. 487.
land lapses, **2**. 425.
land grant to, **4**. 344, 593, 638.
Whitehead, Benjamin, in militia, **17**. 1061.
Whitehead, Bennet, in militia, **17**. 1061.
Whitehead, Burrel, pensioner, **22**. 92.
Whitehead, Charles, patroler, **10**. 63.
Whitehead, Daniel, army record, **13**. 479; **15**. 734; **16**. 1197.
Whitehead, Jacob, exempted, **6**. 1299.
Whitehead, John, army pay, **17**. 260.
army rank, **16**. 1193.
building coms'r, **24**. 642.
Whitehead, John, land grant to, **4**. 625.
Whitehead, John, patroler, **10**. 63.
Whitehead, Paul, appoints Rutherford to settle Burrington estate, **6**. 717-718.
gifts to executor, **6**. 19-20.
Whitehead, Robert, exempted, **9**. 476.
Whitehead, Sam'l, in militia, **22**. 163.
Whitehead, Sam'l, takes oath, **22**. 176.
Whitehead, Thomas, claim allowed, **5**. 979.
Whitehead, Wm., a J. P., **3**. 425.
asks for lapse patents, **2**. 426.
caveat against, **2**. 771.
in assembly, **3**. 612, 635.
juror, **2**. 704.
land grant to, **4**. 280, 329, 332, 593, 628, 677; altered, **4**. 331.
lapse patent to, **2**. 523.
law suit, **3**. 572-3.
petition against as J. P., **4**. 344; for land, **4**. 330.
Whitehead, Wm., army rank, **16**. 1193.
Whitehead, Wm., in militia, **22**. 163.
Whitehead, Wm., juror, **25**. 189.
Whitehead, Wm., quit rents of, **22**. 245.
Whitehead, Wm., takes oath, **22**. 178.
Whitehouse, Anty., army rank, **16**. 1193.
Whitehouse, Joel, army rank, **16**. 1186.
Whitehouse, John, juror, **8**. 528.
Whitehouse, Richard, a J. P., **4**. 47.
juror, **25**. 190.
land grant to, **4**. 588.
Whitehouse, William, murdered, **2**. 268.
Whitehouse, Wm., patent altered, **6**. 77.
resurvey to, **5**. 993.
Whitehursh, Arthur, Sr., pensioner, **22**. 90.
Whitehurst. See Whithurst.
Whitehurst, Gideon, in militia, **22**. 333.
Whitehurst, Gold Smith, land grant to, **4**. 329.
Whitehurst, Richard, a J. P., **2**. 459, 526; **3**. 244, 537.
claims ferry, **4**. 221.
land grant to, **4**. 219.
road coms'r, **23**. 221.
Whitehurst, Sam., in militia, **22**. 264.
Whitehurst, Sam., land grant to, **4**. 329.
Whitehurst, Thos., killed in duel, **7**. 5, 9-10, 39-40, 94, 147, 159, 197, 290.

Whitehurst, Wm., land grant to, **4.** 896.
Whitely, Andrew, in militia, **22.** 397.
Whitemeal (Whitmele), Thomas, Indian trader and interpreter, **4.** 1313.
See also Whitmell.
Whitence, Henry, 25. 504.
Whites. See White.
Whites, Batson, army rank, **16.** 1188.
Whites, amount of land to be granted for importation of, **4.** 599, 600, 603.
White's Corps, 15. 478.
White's Ford, bill on fish, **20.** 170, 180, 181, 355.
White's Mill, 14. 646.
bill for road from, **21.** 373, 386, 396, 401, 429, 700, 710.
British evacuate, **14.** 775, 776.
Whiteside. See Whitside.
Whiteside, David, dead, **17.** 715.
Whiteside (Whitesides), Davis, in assem., **19.** 384, 388.
on Tryon S. C., **10.** 120, 162.
signs Tryon Asso., **10.** 162.
Whiteside, James, in assembly, **18.** 3, 24, 45, 59, 61, 69, 90, 94, 117, 134, 136, 148, 154, 156, 161, 171, 185.
in conv. 1788, **22.** 8, 26, 27, 31, 32, 35.
town coms'r, **24.** 935.
Whiteside, John, captain, **22.** 103.
Whiteside, Thos., owes State, **21.** 1070.
Whiteside, Thos., tax collector, **19.** 707.
Whiteside, Wm., building coms'r, **24.** 411.
signs Tryon Asso., **10.** 162.
Whitesides, James, building coms'r, **24.** 645, 771.
Whitesil's Mill, battle of, **22.** 121, 125.
Whitfield, ——, army rank, **16.** 1192.
Whitfield, ——, sells grant to Zinzendorf, **7.** 285.
Whitfield, Mr., 16. 604.
Whitfield, Landlord, 11. 328.
Whitfield, Bryan, complains of J. P., **20.** 260.
building coms'r, **24.** 291.
in assembly, **18.** 226, 228, 257, 284, 286, 311, 312, 317, 344, 345, 346, 350, 357, 360, 361, 362, 376, 389, 412, 443, 469, 470, 471; **20.** 119, 195, 229, 238, 239, 240, 246, 267, 276, 285, 287, 288, 374, 462; on com. of assembly, **18.** 30, 44, 89, 197, 207, 263, 274, 321, 431.
nom. for C. of S., **18.** 180, 400, 450.
trustee of Caswell, **24.** 759.
Whitfield, Constantine, a J. P., **23.** 993.
Whitfield, Cons., in militia, **22.** 494.
Whitfield, Constantine, juror, **8.** 529.
Whitfield, Constantine, juror, **9.** 693.
Whitfield, Constantine, surety, **9.** 592-593.
Whitfield, Elisha, petitions for Windsor as C. H., **9.** 804-806.
Whitfield, Elizabeth, land lapses, **2.** 563.
Whitfield (Whitford), Geo., 7. 102.
Whitfield, Geo., followers of in N. C., **5.** 1218.
preaches in N. C., **6.** 1060-1; **7.** 97, 104.
Whitfield, James, claim allowed, **18.** 329.
Whitfield, Jesse, army pay, **17.** 258.
Whitfield, Luke, land grant to, **4.** 805.
Whitfield, M., petitions for Windsor as C. H., **9.** 804-806.
Whitfield, Matthew, a J. P., **4.** 1239.
land grant to, **4.** 704.
proves rights, **4.** 1032.
Whitfield, Needham, C. H. coms'r, **24.** 465.
in assem., **19.** 207, 234, 235, 262, 269, 282, 286, 299, 334, 338, 354, 363.
Whitfield, Thos., signs Pitt Asso., **10.** 221.
Whitfield, Wm., a J. P., **4.** 1038.
Whitfield, Wm., arms sent to, **10.** 640.
at council meeting, **14.** 317-25, 332-4.
bill for services, **22.** 431.
Council of Safety meets at house of, **10.** 623, 632.
in assembly, **6.** 661, 800, 801.
in Council of State, **22.** 955, 956, 957, 958, 959, 962, 964, 965, 966, 967.
juror, **9.** 692.
member C. of S., **13.** 737, 738, 788, 789.
on com. of assem., **6.** 805, 817.
petitions on outlaws, **11.** 731-732.
signs asso'n of C. C., **9.** 1152, 1166.
to value houses, **10.** 345.
Whitfield, Wm., discharged by court, **2.** 663.
juror, **2.** 657, 826.
land lapses, **2.** 563.
lapse patent to, **2.** 525.
Whitfield, Wm., drafted, **14.** 839.
Whitfield, Wm., in militia, **22.** 270.
Whitfield, Wm., in militia, **22.** 309.

Whitfield, Wm., in militia, **22**. 331.
Whitfield, Wm., juror, **4**. 522.
Whitfield, Wm., on S. C. of Pitt, **10**. 62.
petitions for Tyson, **16**. 580-581.
Whitfield, Wm., town coms'r, **24**. 875.
Whitfield, Wm., warrant to, **14**. 318.
Whitfield, Wm., roster of militia co., **22**. 494-5.
Whitfield, Wm., Jr., a J. P., **23**. 993.
Whitfield, Wm., Jr., juror, **4**. 522.
Whitfield, Wm., Jr., juror, **8**. 528.
Whitfield, Wm., Jr., town coms'r, **24**. 875.
Whitfield, Willis, drafted, **14**. 839.
Whitfield, Willis, in militia, **22**. 270.
Whitfields, **11**. 316, 317, 331; **14**. 142.
Whitfield's (Bryant), inspection at, **24**. 582.
Whitfield's Ferry, **10**. 692; **11**. 300, 303, 304, 308, 310, 311, 312, 313, 314, 316, 338.
Whitford, ——, suit over land, **6**. 1086.
Whitford, Martin, in militia, **22**. 321.
Whitford, Thos., exempted, **8**. 453.
Whitford, Thomas, lands to be surveyed, **6**. 1066.
Whitford, Wm., land grant to, **4**. 799, 855.
lands of to be sold, **6**. 1066.
Whitford, Wm. B., in militia, **22**. 323.
Whitford, Wm. Basham, land grant to, **4**. 1249.
Whitford, Wm. Bastin, **23**. 679.
Whithall, Jonathan, delivers letter, **1**. 321.
Whithead. See Whitehead.
Whithead, Wm., sells horse, **19**. 928.
Whithows, Jas., in militia, **22**. 342.
Whithurst. See Whitehurst.
Whithurst, Richard, vestryman, **25**. 208.
Whiticar. See Whitaker, Whittaker.
Whiticar, ——, sent to Proprietors, **1**. 160.
Whitinal, ——, has blank patent, **3**. 221.
Whiting, Mr., **14**. 61.
Whiting, Mr., wounded, **15**. 751.
Whiting, James, exempted, **8**. 119.
Whitington, Burrel, prisoner, **15**. 169.
Whitinill, Thos., town coms'r, **25**. 248.
See also Whitmell.
Whitkers, Chas., wounded and prisoner, **22**. 523.
Whitledge, Ambrose, pensioner, **22**. 90.
Whitley, Arthur, army pay, **17**. 256.
army rank, **16**. 1183.
Whitley (Whithey), Hansford, army pay, **17**. 256.
army rank, **13**. 513; **16**. 1182.
Whitley, John, commissioner and salt to, **14**. 462.
in assem., **19**. 384, 387.
Whitley, John, lieut., **10**. 518.
Whitley, Jno., major, **20**. 272, 460.
Whitley, John, land grant to, **4**. 447.
rights proved, **4**. 640.
Whitley, John, petition, **21**. 204, 213, 275, 283, 579, 630.
Whitley, Joseph, asks pardon for Fruit, **9**. 93-94.
Whitley, Micajah, army rank, **16**. 1190.
Whitley, Micajah, army rank, **16**. 1192.
Whitley, Micajah, pensioner, **22**. 89.
Whitley, Michael, asks for new county, **9**. 92.
Whitley, Moses, tory lieut., **22**. 231.
Whitley, Paul, asks for new county, **9**. 92.
Whitley, Thos., army rank, **16**. 1188.
Whitley, Wm., army pay, **17**. 256.
army rank, **16**. 1183.
Whitley, Wm., juror, **4**. 524.
Whitley, Wm., quit rents of, **22**. 243.
Whitlock, George, asks relief from church tax, **9**. 95-6.
petition on who are tithables, **9**. 97.
Whitlock, Robert, army pay, **17**. 258.
Whitlock, Robert, petitions for division of Orange Co., **9**. 809-810.
Whitlock, **13**. 330.
Whitlow, Danby, takes oath, **22**. 174.
Whitlow, John, takes oath, **22**. 175.
Whitlow, Solomon, pensioner, **22**. 91.
Whitly, Richard, land grant to, **4**. 52.
Whitlys, John, land grant to, **4**. 949.
Whitmall, Thos., land grant to, **4**. 589.
Whitman, Candrid, in militia, **22**. 284.
Whitman, Conred, land grant to, **4**. 803, 1250.
Whitman, Fredk., army rank, **16**. 1192.
Whitmel. See Whitemeal, Whitinal, Whitinill, Witmel.
Whitmel, Thos., a J. P., **4**. 346.
land lapses, **2**. 642, 675.
Whitmell, Blount, lieut., **10**. 517.
Whitmell, Blunt, army rank, **16**. 1182.
Whitmell (Whitmel), Thomas, bill to confirm agreement with Tuscaroras, **6**. 1232, 1234, 1284, 1287, 1294.
claims allowed, **6**. 1297; **22**. 863.

dropped as J. P., **6**. 80.
in assembly, **5**. 232, 242, 246, 521, 524, 533, 539, 674, 694, 718, 834, 837, 843, 854, 867, 889, 894, 1002, 1007, 1008, 1020, 1052, 1053, 1075, 1081.
Indian commissioner, **4**. 224; **5**. 31, 35.
on claims com., **22**. 863.
on com. of assem., **5**. 240, 250, 500, 523, 873, 892, 1017, 1043.
payment to for Indians, **5**. 839, 858, 861, 893.
petition on trade, **5**. 321-4.
quit rents of, **22**. 243.
recovers money for work on Granville boundary survey, **5**. 828-829.
report on public claims, **5**. 975-986.
sheriff, **4**. 1181.
to furnish Indians, **5**. 1043.
to supply Indians, **5**. 522-523.
tobacco inspection, **23**. 411.
warrant to, **8**. 706-707.
witnesses will, **22**. 289, 290.
Whitmell, Thos., collector, **23**. 373.
Whitmell, Thos. Blount, **22**. 111.
Whitmell's, tobacco warehouse at, **5**. xlii.
Whitmill, Thos., colonel, **10**. 205, 530.
Whitmill, Thos., in militia, **22**. 307.
Whitmill's Landing, tobacco inspection at, **23**. 792.
Whitmil's, inspection at, **25**. 313.
Whitner, Maj., **12**. 460.
Whitner, Henry, **23**. 819; **24**. 472.
Whitner, Henry, land grants to, **4**. 1040, 1049, 1240.
Whitner's Bottom, **10**. 252.
Whitney, David, land grant to, **4**. 761, 765.
Whitney, John, resolve in favor of, **20**. 592.
Whitney, John M., allowance to, **21**. 179, 182.
Whitney, Josiah, army pay, **17**. 259.
Whitney, Wm., land grant to, **4**. 1250.
Whitonsh, Thomas, petitions for Windsor as C. H., **9**. 804-805.
Whitsell, ——, case of, **18**. 423-424, 481.
Whitsell, Capt., **22**. 144, 145.
Whitsell's Mills, battle at, **19**. 962.
Whitsett, Adam, naturalized, **8**. 235.
Whitsett, Henry, naturalized, **8**. 235.
Whitshell, Thos., juror, **25**. 189.
Whitside. See Whiteside.
Whitside, Wm., building coms'r, **24**. 473.
Whitson, Capt., payment by company of, **10**. 319.
Whitson, Capt., tory, **22**. 138.
Whitson, Benj., army rank, **16**. 1191.
Whitson, Thos., advertisement against false, **10**. 318.
asks for new county, **9**. 91.
in assembly, **13**. 784.
on Rowan S. C., **10**. 280, 309.
pensioned, **12**. 193-194, 202, 377, 609; **13**. 908.
Whittaker. See Whitaker, Whiticar.
Whittaker, Col., **14**. 322.
Whittaker, George, a J. P., **3**. 244.
Whittaker, Robt., army rank, **16**. 1192.
Whittby. See Whedbee.
Whittby, Jno., juror, **4**. 520.
Whitte. See White.
Whitte, ——, law suit, **2**. 100.
Whitte, Ebenezer, juryman, **2**. 80.
Whitte, John, grand juror, **2**. 98.
Whitted, Wm., petitions, **19**. 932.
Whittey. See Whitty.
Whittey (Whittie), Capt., ment'd, **1**. 53.
quoted, **1**. 55.
visits Albemarle, **1**. 99.
Whittey, Edwd., in assem., **19**. 391, 393.
Whittier Station, **10**. 713.
Whittington, Burrel, wounded and prisoner, **22**. 523.
Whittington, Richard, land grant to, **4**. 765.
Whittney, Richard, petition from, **1**. 145-149.
Whittock, quit rents paid at, **25**. 218.
Whitts Island, ment'd, **1**. 420.
Whitty. See Whittey.
Whitty, Edward, coms'r on boundary, **24**. 958; on navigation, **24**. 603; on town, **24**. 610.
in assembly, **17**. 878, 936, 947, 948, 953, 963.
in conv. 1788, **22**. 2, 6, 26, 27, 30.
in conv. 1789, **22**. 37, 47, 48.
Whitty, Wm., in militia, **22**. 315.
Whitty, Wm., land grant to, **4**. 962.
Whitwell, Capt., **11**. 122.
Whitwell, Capt., sent to N. E., **5**. 394.
Whitwell, Thomas, juror, **4**. 522.
Whitworth, John, pensioner, **22**. 91.
Whole Neck, **25**. 264.
Whora, Henry, allowance to, **22**. 821.
Whorton. See Wharton.
Whorton, Isaac, in militia, **22**. 352.
Whorton, Jacob, army rank, **16**. 1188.

Whorton, Samuel, in army, **15.** 733.
Whymes, Maj., location, **14.** 666.
Wiandots (Indians), **18.** 514.
See also Wyandottes.
Wiat. See Wyatt.
Wiat, John, a J. P., **3.** 234.
Wiatt's Bridge, 24. 702.
Wibern, Philip, army rank, **16.** 1189.
Wicacone Creek, 2. 330.
Wiccon, 4. 332.
Wich. See Wych, Wytch.
Wich, John, signs S. C. act, **25.** 148.
Wickacones Creek, 2. 643-4.
Wickar, Willis, army pay, **17.** 260.
Wicker, James, to make rent roll, **2.** 35.
Wicker, John, on regulation of Cross Creek, **15.** 209-211.
Wicker, Joseph, a J. P., **2.** 526, 645.
juror, **2.** 442.
vestryman, **2.** 209; **23.** 7.
Wicker, Joseph, a J. P., **4.** 346.
Wicker, Richard, juror, **4.** 520.
Wicker, Willis, army rank, **16.** 1193.
Wickers, John, in assem., **3.** 562, 566, 591.
Wickers House, 2. 746.
Wickham Precinct, 1. 792; **25.** 155.
a part of Bath Co., **1.** xxvii, xxviii.
erected, **1.** 629; **3.** 453.
taken out of Bath Co., **5.** 86.
Wickliff, Wm., land grant to, **4.** 641.
Wickliffe, Wm., land grant to, **4.** 1049, 1240.
Wickliffe's (Wickliff's) Ferry, act for bridge near, **23.** 346; **25.** 240.
bill for bridge near, **4.** 783, 785.
Wickly, John, prisoner, **16.** 672.
Wickocon, 2. 488.
Wicks. See Weaks, Weekes, Weeks.
Wicks, Robert, witnesses will, **22.** 294.
Wickstead, Paul, land grant to, **4.** 328.
Wicocombe. See Wecocomicke.
Wicocon Creek, inspection at, **25.** 379.
Widener, Lewis, building coms'r and collector, **24.** 831.
Widener, Saml., army rank, **16.** 1192.
Widgburr, Wm., pensioner, **22.** 90.
Widman, Henry, in militia, **22.** 165.
Widow Moore's Creek, 23. 418.
See also Moore's Creek.
Widows, act to make provisions for, **24.** 572-7, 669-71, 744, 902; **25.** 56.
bill on provision for, **17.** 328; **20.** 184, 189-190, 195-196, 201, 300, 352, 363, 367; to provide dowers for, **19.** 555, 581, 617, 652, 705.
dower laid off, **1.** 585.
Eng. act on rights of in force in N. C., **23.** 317.
no protection for property of, **4.** 1009, 1027.
Wielcocks, James, land grant to, **4.** 629.
Wier, Dick, ship master, **9.** 1186.
Wier, Malachi, army pay, **17.** 259.
Wier, Thos., land grant to, **4.** 329.
Wier, Thos., loyalist, **10.** 597.
sent to Phila., **11.** 295.
Wierman, Will., asks pay for supplies against regulators, **9.** 354-355.
Wiers, Wm., takes oath, **22.** 176.
Wife, act on share in husband's estate, **23.** 68, 69.
Wigens, Caleb, in militia, **22.** 319.
Wigfall, Joseph, a tory, **14.** 876.
Wigg, William, prisoner, **17.** 1046.
Wiggens. See Wigens, Wigins.
Wiggens, Jas., in militia, **22.** 355.
Wiggens, Thos., in Davidson's co., **14.** 294.
Wiggens, Thomas, juror, **4.** 518.
Wiggens, Thos., in militia, **22.** 355.
Wiggin, Thomas, 9. 1233.
Wiggins, Absalm., army rank, **16.** 1181.
Wiggins, Arthur, army rank, **16.** 1192.
pensioner, **22.** 92.
Wiggins, Blake Baker, a J. P., **15.** 693; **23.** 994.
coms'r on town, **24.** 773.
to procure arms, **10.** 525.
Wiggins, Chs., army rank, **16.** 1189.
Wiggins, Edmd., quit rents paid at place of, **25.** 217.
Wiggins, Edwd., army rank, **16.** 1188.
Wiggins, Elisha, army rank, **16.** 1193.
Wiggins, George, army pay, **17.** 260.
army rank, **16.** 1193.
Wiggins, Gresham, land grant to, **4.** 804.
Wiggins, Henry, army rank, **16.** 1182.
enlistment examined, **11.** 811.
Wiggins, Jas., army rank, **16.** 1185.
Wiggins, Jas., army rank, **16.** 1187.
Wiggins, Jas., army rank, **16.** 1188.
Wiggins, Jas., army rank, **16.** 1190.
Wiggins, James, in army, **13.** 525.
Wiggins, James, in army, **13.** 530.
Wiggins, John, deeds Indian lands. **25.** 507-9.
Wiggins, John, dropped as J. P., **6.** 762.
Wiggins, John, exempted, **9.** 146.

Wiggins, John, juror, **4.** 521.
Wiggins, John, juror, **4.** 524.
Wiggins, John, land grant to, **4.** 274, 332, 335, 591, 761.
Wiggins, John, quit rents of, **22.** 243.
Wiggins, Levy, army rank, **16.** 1190.
Wiggins, Mahala, in army, **13.** 524.
Wiggins, Malachi, army pay, **17.** 260.
army rank, **16.** 1187.
Wiggins, Mattw., army rank, **16.** 1191.
Wiggins, Noah, army rank, **16.** 1182.
Wiggins, Richard, land grant asked for, **4.** 440.
Wiggins, Richard, juror, **4.** 524.
Wiggins, Richard, land grant to, **4.** 1034.
rights proved, **4.** 640.
Wiggins, Sam., land grant to, **4.** 344.
Wiggins, Thos., a J. P., **6.** 637.
Wiggins, Thos., a J. P., **15.** 693; **23.** 994.
Wiggins, Thos., army pay, **17.** 260.
Wiggins, Thos., army rank, **16.** 1183.
Wiggins, Thos., army rank, **16.** 1188.
Wiggins, Thos., army rank, **16.** 1189.
Wiggins, Thos., courtmartialed, **12.** 489.
Wiggins, Thos., in militia, **22.** 370.
Wiggins, Thos., in Prov. Cong., **10.** 501, 505, 523, 529.
lieut. col. of militia, **12.** 600, 708.
major, **10.** 205, 531.
nom. as colonel, **13.** 393.
Wiggins, Thomas, juror, **4.** 524.
Wiggins, Wm., army rank, **16.** 1185.
Wiggins, Wm., army rank, **16.** 1191.
Wiggins, Wm., in militia, **22.** 324.
Wiggins, Wm., land grant to, **4.** 353.
Wiggins, Willis, army rank, **16.** 1182.
Wiggins, Willis, in army, **13.** 521.
Wigginton (Wiggington), Henry, asks aid for S. C., **2.** 196-199.
secretary of S. C., **1.** 706, 898, 901.
Wiggons, Edward, land grant to, **4.** 851.
Wiggs, John, pensioner, **22.** 90.
Wight, Edward, memorial in favor of Smith, **6.** 58-60.
Wight, Wm., does not sell barony in C. to King, **3.** 39.
Wight and Graham, petition on exchange rate of bills, **6.** 16-17.
Wightman, Mr., **1.** 344.
Wigins. See Wiggins.
Wigins, Edmond, in militia, **22.** 322.
Wigins, Edmond, in militia, **22.** 322.
Wigins, John, in militia, **22.** 322.
Wigley, Thos., army pay, **17.** 260.
army rank, **15.** 726; **16.** 1187.
Wilborn. See Welborn, Wileborn.
Wilborn, Edwd., in militia, **22.** 164.
Wilborne, Thomas, indicted as regulator, **8.** 531.
Welborne, Thomas, indicted as regulator, **8.** 531.
regulator, **7.** 735.
Wilbourn, John, in militia, **22.** 165.
Wilburn, Edwd., takes oath, **22.** 179.
Wilburn, John, takes oath, **22.** 179.
Wilburn, Thos., takes oath, **22.** 171.
Wilburn, Thomas, vestryman, **23.** 499.
Wilburn (Wilborn), Wm., Jr., agrees to restitution of fees in Rowan, **8.** 521-522, 534.
Wilburne, Robert, army rank, **16.** 1185.
Wilby, England, **4.** 877.
Wilcock, Samuel, colonel of militia, **12.** 604.
Wilcocks. See Wielcocks, Willcocks.
Wilcocks, ——, report on settlers on grant to, **5.** 739, 742.
Wilcocks, David, deserter, **16.** 518.
Wilcocks, John, army pay, **17.** 259.
Wilcocks, John, land grant to, **4.** 629.
rights proved, **4.** 626.
Wilcocks, John, town coms'r, **25.** 470.
Wilcocks, William, prisoner, **17.** 1046.
Wilcockson. See Willcockson.
Wilcockson, Isaac, on Rowan S. C., **10.** 252.
Wilcox, ——, regulator, **8.** 718.
Wilcox, Mr., **16.** 211; **18.** 442.
Wilcox, Capt., asks for tender, **13.** 401.
Wilcox, Col., reports on wounded at Camden, **15.** 370.
Wilcox, Benj., army rank, **16.** 1190.
Wilcox, Davd., army rank, **16.** 1189.
Wilcox, Davd., army rank, **16.** 1191.
Wilcox, David, soldier, **14.** 131.
Wilcox, George, army rank, **16.** 1183.
Wilcox, J., in assembly, **16.** 112; on com. of assembly, **16.** 45, 49.
Wilcox (Wielcocks), James, land grant to, **4.** 629.
Wilcox, Jer., juror, **4.** 519.
Wilcox, John, **14.** 449.
Wilcox, John, allowed to resume control of iron works, **11.** 544.
asks that state of iron works be reported to governor, **11.** 487-488.
carries on iron furnace for public, **10.** 992-996.

com. to settle accounts with, **12.** 143-144, 149, 293, 302, 303, 304, 309-310, 311, 325.
contracts with gov't on iron works, **10.** 946-947.
conveys iron works to State, **12.** 7, 63, 137-138.
furnace put into hands of, **11.** 577, 578.
gives deed in trust, **10.** 686.
Harnett to on iron furnace, **11.** 304.
iron furnace of to be hired, **10.** 540; investigated, **10.** 647, 648.
memorial considered, **17.** 837, 872, 929, 932.
money for iron works, **22.** 916.
negroes to be returned to, **14.** 382.
petition, **19.** 171, 209, 210, 229, 288, 340, 342, 365; to assembly on pay for iron, **15.** 214-215; to be put in possession of iron works, **12.** 571, 580, 583, 592, 628-630, 643-644, 687, 697-698, 728-729, 751-752, 756.
remonstrance of in matter of iron works and payments to, **12.** 372-373, 376.
report on claims of, **17.** 971-2, 974; on efforts to hire furnaces of, **10.** 608.
resolve in favor of, **12.** 162, 199, 332.
sells furnace to gov't, **11.** 387-388, 394-395, 576.
to be paid for iron works, **11.** 413-4.
to give deed of trust on iron furnace, **10.** 648.
to make cannon for public, **10.** 949.
Wilcox, Jno., army rank, **16.** 1191.
Wilcox, John, in assem., **9.** 143, 144, 223; **12.** 692.
Wilcox, Jno., juror, **4.** 518.
land grant to, **4.** 638, 1249.
Wilcox, John, regulator, **7.** 848; excluded from pardon as regulator, **8.** 613, 618.
pursued, **22.** 441.
Wilcox, John, salt to, **14.** 441.
Wilcox Forge (furnace, iron works), **14.** 381, 382, 656; **15.** 434; **18.** 442; **19.** 872; **22.** 102.
iron from, **14.** 440.
kettles to be seized, **15.** 59.
Wilcoxs, Thomas, land grant to, **4** 1249.
Wild, Geo., in militia, **22.** 276.
Wild animals, act to destroy, **23.** 71, 288, 500-1; **24.** 133-4, 749-50, 826, 912-13, 958; **25,** 198-200, 312, 476, 510-11, 516-17.
bills on, **21.** 71, 76, 86, 114, 122; to destroy, **17.** 344, 384, 398, 401, 404, 419; **18.** 106, 108, 143-4, 158, 205, 285 286, 339, 342, 363, 368, 379, 380, 393, 416; **20.** 55, 92, 112, 529, 530, 556, 576; to repeal act on, **20.** 148, 153, 168, 177, 181, 334, 353, 360.
Wild cats, act to destroy, **23.** 288, 617-18, 914-5; **24.** 133-4, 749-50, 912, 958; **25.** 312, 476.
Wild cattle, act against killing of, **1.** 219-220; on slaughter of, **25.** 138.
Wilday, Abslm., army rank, **16.** 1180.
Wilder, Hopkins, allowance to, **19.** 410, 415, 442, 742, 787.
Wilder, Hopkins, in militia, **22.** 333, 367, 377.
land grant asked, **4.** 706, 707.
rights proved, **4.** 705.
Wilder, Joab, in militia, **22.** 333.
Wilder, Job, land grant to, **4.** 638.
Wilder, Jno., in militia, **22.** 333.
Wilder, Jno., in militia, **22.** 372.
Wilder, Mial, in militia, **22.** 333.
Wilder, Michael, petition, **20.** 488.
Wilder, Nath., in militia, **22.** 333.
Wilder, Philip, army pay, **17.** 261.
Wilder, Randolph, army pay, **17.** 258.
Wilder, Robt., in militia, **22.** 333.
Wilder, Wm., army pay, **17.** 258.
army rank, **16.** 1190.
pensioner, **22.** 92.
Wilder, Wm., in militia, **22.** 333.
Wilder, Wm., land grant asked, **4.** 708.
Wilder's Landing, inspection at, **24.** 581.
Wildie, Absalom, army pay, **17.** 256.
army rank, **16.** 1189.
Wile, Martin, army rank, **16.** 1182.
Wileborn. See Welborn, Wilborn.
Wileborn, Robert, in army, **15.** 726.
Wiles, Abraham, pensioner, **22.** 89.
Wiley. See Wilie, Willey, Wily, Wyley, etc.
Wiley, Calvin H., defends regulators, **7.** xiv.
Wiley, Hardy, army pay, **17.** 257.
Wiley, Hugh, asks pardon for Hunter, **9.** 86-87.
Wiley, Jas., army rank, **16.** 1191.
pensioner, **22.** 90.
Wiley, James, land grant to, **4.** 641.
Wiley, James, writ served on, **8.** 388.
Wiley, Oliver, asks pardon for regulators, **9.** 98-99.

Wiley, Rufus, pensioner, **22**. 91.
Wiley, Samuel, pay for survey of Cherokee lands, **7**. 590, 660.
Wiley, Stephen, army rank, **16**. 1183.
Wiley, Wm., claim, **9**. 486.
Wiley, Wm., land case of, **5**. 1093.
Wiley, Wm., petitions for extension of power of J. P.'s, **7**. 874-875.
Wilfong, John, pensioner, **22**. 92.
revolutionary services, **22**. 158-9.
Wilfong family, **8**. 756, 757.
pioneers, **8**. 751.
Wilford, Archd., army rank, **16**. 1193.
Wilford, Lewis, in army, **13**. 504.
Wilford, Peter, army pay, **17**. 260.
Wilhelm, George, petition on rent, **9**. 46-47.
Wilhings, John, pensioner, **22**. 91.
Wilie. See Wiley, Wily, Wyley.
Wilie, James, act to extend time of settlement as sheriff, **25**. 520-1.
Williferd, Jacob, in militia, **17**. 1057.
Wilkenson. See Wilkinson.
Wilkenson, Wm., husband of Esther Pollock, **2**. 241.
lands of granted to Pollock, **2**. 323.
Wilkenson, William, law suit, **1**. 392.
Wilkerson, Mr., explains rise in rum, **9**. 1099.
Wilkerson, Lieut., gets no clothing and arrested, **16**. 578, 579.
Wilkerson, Daniel, asks relief from church tax, **9**. 95-7.
Wilkerson, David, in militia, **22**. 163.
Wilkerson, David, takes oath, **22**. 178.
Wilkerson, Francis, army pay, **17**. 258.
Wilkerson, Hammon, in militia, **22**. 161.
Wilkerson, Hannon, takes oath, **22**. 173.
Wilkerson, Hazlewood, in militia, **22**. 163.
Wilkerson, Hazlewood, takes oath, **22**. 178.
Wilkerson, James, Jr., takes oath, **22**. 173.
Wilkerson (Wilkinson), James, Sr., excluded from pardon as regulator, **8**. 613, 615, 618.
Wilkerson, John, army pay, **17**. 257.
army rank, **16**. 1187.
Wilkerson, Jno., army rank, **16**. 1191.
Wilkerson, John, asks relief from church tax, **9**. 95-97.
Wilkerson, John, in militia, **22**. 164.
Wilkerson, John, pensioner, **22**. 91.
Wilkerson, John, petition on who are tithables, **9**. 97.
Wilkerson, John, takes oath, **22**. 178.
Wilkerson, John, Jr., takes oath, **22**. 178.
Wilkerson, Wm., army rank, **16**. 1187.
Wilkerson, Wm., army rank, **16**. 1188.
Wilkerson, Wm., army rank, **16**. 1191.
Wilkerson (Wilkison), Wm., sells land, **2**. 102.
sues, **1**. 405.
Wilkerson, Wm., Jr., takes oath, **22**. 173.
Wilkerson, Wm., Sr., takes oath, **22**. 173.
Wilkes. See Wilks.
Wilkes, Francis, exempted, **17**. 973.
Wilkes, John, in assem., **20**. 325.
petition on elections, **20**. 15.
Wilkes, John, petition of granted, **12**. 434, 436.
Wilkes, John (Engd.), in prison, **7**. 754.
returned to Parliament, **9**. 1093, 1097.
wounded in duel, **9**. iii.
Wilkes Co., **5**. 1155; **10**. 713; **12**. 641, 750; **13**. 734*g*, 919, 935, 939; **14**. 146, 264,; **15**. 126; **16**. 22, 68, 97, 110, 111, 697; **17**. 283, 654, 685, 697, 748; **18**. 403, 497; **19**. 63, 74, 102, 178, 289, 413, 414, 482, 740; **20**. 14, 82, 552, 556; **21**. 47, 52, 66, 74, 77, 81, 109, 115, 121, 154, 160, 168, 179, 181, 190, 298, 302, 320, 633, 644, 648, 654, 1070; **22**. 97, 98, 99, 100, 135, 137, 140, 142; **24**. 141, 164, 387, 466; **25**. 14.
act for court, **24**. 50, 64, 161; for tax for pub. buildings, **24**. 149, 604, 943-4; for two places for musters and on elections, **25**. 50-1; on jurors, **24**. 82-4, 273-5, 451, 689-90; **25**. 44; to add part of Burke to, **25**. 43; to change time of co. ct., **24**. 460-1, 717; to collect arrears in, **24**. 945-6; to destroy wild animals, **24**. 749-50, 826; to erect, **24**. 142-4, 178; to put in Morgan Dist., **24**. 451, 689-90.
allowance for salt in, **17**. 767, 769.
and King's Mtn., **15**. xi, 133, 135, 163.
Baptists in, **5**. 1187, 1189.
bill for public buildings in, **17**. 386, 397, 401, 403; **20**. 43, 81, 92; for tax for public buildings, **19**. 610; on elections, court martials, &c.,

21. 372, 376, 392, 656, 699; on musters, &c., **21**. 418; to add part of Burke to, **21**. 236, 329, 357, 374, 603, 680, 699; to add parts to Iredell and Surry, **21**. 789, 853, 952, 956, 957, 960, 1025, 1026; to change C. H., **19**. 561, 676, 683; to collect taxes in, **20**. 166, 174, 177, 186, 276, 342, 353, 459; to divide, **21**. 804, 978, 987, 1002, 1011-12; to erect, **12**. 148, 150, 152, 170, 172, 186, 220, 255, 283, 308, 310, 311, 315, 334, 579, 582, 590, 591, 603, 625, 654, 682, 693, 694, 701, 715; **13**. 357; to identify parties in, **13**. 835, 839.
census of 1790, **26**. 1221-1247.
clothing for troops due from, **12**. 639, 747.
courthouse on Moravian land, **5**. 1153.
drafts from, **14**. 874.
in Salisbury Dist., **15**. 377.
jurors in, **12**. 875.
Lutherans in, **8**. 775.
members in assembly, **12**. 656, 658, 764; **13**. 736, 785, 825, 914; **16**. 2; **17**. 265, 269, 795, 878; **18**. 2, 6, 14, 118, 227, 229, 249, 254; **19**. 2, 130, 234, 244, 400, 405, 489, 718, 728; **20**. 2, 120, 134, 167, 180, 230, 238, 239, 240, 276, 285, 287, 302, 476, 534; **21**. 2, 194, 730, 872.
members in conv. 1788 and 1789, **22**. 4, 39.
militia officers of, **12**. 606, 607, 628, 721, 722.
owes State, **21**. 1079.
petition from, **17**. 379-380, 386, 393; **18**. 15, 22, 26, 31, 45, 243, 248, 254, 260.
return of taxable property, **21**. 593.
specific tax to be collected, **20**. 104-105.
tax in, **19**. 707.
troops from, **14**. 663; enrolled, **16**. xi; must draw provisions from, **15**. 539; to be raised in, **13**. 411; **14**. 28; **24**. 154.
Wilkes Co., Ga., **17**. 821, 905, 907; **22**. 99, 139; **25**. 50, 51.
Wilkesboro, **18**. 497.
Wilkeson. See Wilkenson, Wilkerson, Wilkinson.
Wilkeson, James, **22**. 291.
Wilkeson, John, imported, **1**. 394.
Wilkeson, Philip, execution against, **5**. 824.
Wilkeson, Wm., shot, **5**. 824.
Wilkeson's Point. See Wilkinson's Point.
Wilkey, David, petitions on land grants, **9**. 1260-2.
Wilkie, George, army pay, **17**. 257.
Wilkie, William, prisoner, **17**. 1046.
Wilkings, Mrs., **16**. 246.
Wilkings, E., to Martin on wives and children of tories, **16**. 467-469.
Wilkings, S., to Martin on wives and children of tories, **16**. 467-469.
Wilkings, Wm., in militia, **22**. 383.
Wilkins. See Willkings.
Wilkins, ——, a J. P., **4**. 47.
Wilkins, Mr., **2**. 752.
Wilkins, Alex., regulator, **7**. 735.
Wilkins, Alexander, regulator, **7**. 736.
Wilkins, Andw., army rank, **16**. 1187.
Wilkins, Andrew, in army, **13**. 521.
Wilkins, Andrew, in army, **13**. 528.
Wilkins, Burrel, army rank, **16**. 1189.
Wilkins, Charles, juror, **2**. 266, 664; **3**. 54.
ordered to search for negro, **2**. 410-11.
Wilkins, Elijah, army rank, **16**. 1189.
Wilkins, Elisha, army rank, **16**. 1188.
Wilkins, George, army pay, **17**. 258.
Wilkins, George, army pay, **17**. 260.
Wilkins, Geo., army pay, **16**. 1191.
Wilkins, James, asks pardon for Fruit, **9**. 93-4.
Wilkins, James, juror, **4**. 524.
Wilkins, James, petitions for extension of power of J. P.'s, **7**. 874-5.
Wilkins, Jas., quit rents of, **22**. 243.
Wilkins, John, asks flag of truce for Wilkens, **15**. 529.
Wilkins, John, claims allowed, **9**. 953.
Wilkins, John, deposition on illegal fees, **7**. 779.
Wilkins, Jno., in militia, **22**. 342.
Wilkins, Jno., in militia, **22**. 356.
Wilkins, John, juror, **4**. 516.
land grant to, **4**. 649, 679.
petitions on roads and ferries, **5**. 164-166.
Wilkins, John, pensioner, **22**. 91.
Wilkins, Jno., quit rents, **22**. 258.
Wilkins, John, regulator, **7**. 736.
Wilkins, John, regulator, **7**. 738.
Wilkins, Jonathan, land grant to, **4**. 1047.
Wilkins, Jordan, army pay, **17**. 258.
Wilkins, Jordan, army pay, **17**. 259.

Wilkins, Jordan, army rank, **16.** 1188.
Wilkins, Joseph, petitions on county bounds, **9.** 633-634.
Wilkins, Josh., army rank, **15.** 726; **16.** 1180.
reënlists, **15.** 750.
Wilkins, Kinchen, army pay, **17.** 260.
army rank, **16.** 1191.
Wilkins, Richd., in militia, **22.** 166.
Wilkins, Richard, witness, **9.** 370.
Wilkins, Robert, petitions on land grants, **9.** 1260-1262; **11.** 250-252.
Wilkins, Robert, regulator, **7.** 734.
Wilkins, Robert, regulator, **7.** 735.
Wilkins, Samuel, land grants to, **4.** 1047, 1239, 1247.
Wilkins, Thos., army rank, **16.** 1190.
Wilkins, Thos., army rank, **16.** 1192.
Wilkins, Wm., a J. P., **4.** 346.
juror, **4.** 516.
land grant to, **4.** 1047.
Wilkins, Wm., army rank, **16.** 1189.
Wilkins, Wm., claims allowed, **6.** 211, 215.
com. on claims meets at house of, **6.** 209.
Wilkins, Wm., commander of Scorpion, **5.** 30.
Wilkins, Wm., deposition, **20.** 298-299.
Wilkins, Wm., in militia, **22.** 356.
Wilkins, Wm., regulator, **7.** 735.
Wilkinson. See Wilkenson, Wilkerson, Wilkeson, Wilkison, Wilkson.
Wilkinson, ——, **17.** 151.
Wlikinson, ——, dead and estate of, **16.** 975, 993.
Wilkinson, ——, letter to Tryon answered, **8.** 219.
Wilkinson, ——, taxable, **15.** 192.
Wilkinson, Mr., **11.** 198.
Wilkinson, Mr., tries to seize York, **10.** 776.
Wilkinson, Capt., **12.** 488.
Wilkinson, Lieut., **16.** 258, 515.
cashiered and restored, **16.** 616.
gets clothing, **16.** 260.
in N. C. battalion, **13.** 343.
on duty, **16.** 481.
Wilkinson, Col., brings news of surrender of Burgoyne, **11.** 666.
Wilkinson, Abra., juror, **25.** 190.
Wilkinson, Charles, a J. P., **23.** 994.
Wilkinson, Charles, militiaman, **7.** 262.
Wilkinson, Edward, commissioner on Cherokee boundary, **7.** 207, 212; **22.** 743.
complains of Stuart's letter, **10.** 783.
makes presents to Cherokees, **10.** 770-771; to Indians, **7.** 212.
removes settlers, **7.** 208.
S. C. coms'r on Cherokee boundary, **7.** 852.
supt. of Southern Indian affairs, **10.** 348.
talks to Creeks, **10.** 330-331.
Wilkinson (Wilkenson), Esther, marries Pollock, **2.** 323.
Wilkinson, Capt. Henry, gov., **1.** 328.
instructions to, **1.** 333-338.
made a cacique, **1.** 342.
Wilkinson, Hester, law suit, **1.** 617-18, 620-1.
Wilkinson, Israel, juror, **8.** 509.
Wilkinson, J., to Dry on seizure of vessels, **7.** 177-178.
Wilkinson, Jack, **16.** 975.
Wilkinson (?), Jackey, **11.** 796, 802, 806, 809, 814, 820, 822, 826.
See also Williams, Jackey.
Wilkinson, James, army pay, **17.** 259.
pensioner, **22.** 90.
to Caswell on clothing for troops, **14.** 189, 197-198.
Wilkinson, James, Sr., juror, **7.** 843, 844, 845, 846.
Wilkinson, John, **5.** 944.
Wilkinson, Jno., army rank, **16.** 1196.
Wilkinson, John, condemns land for Ft. Johnston, **7.** 703-704.
Wilkinson, Jno., coms'r on pilotage, **23.** 650.
rights proved, **4.** 642.
Wilkinson, John, in army, **15.** 735.
in Indian war, **10.** 759.
reënlists, **15.** 750.
Wilkinson, Moreton, prisoner, **15.** 393.
Wilkinson, Phil., land grant to, **4.** 56.
Wilkinson, Reub'n, army pay, **17.** 256.
in Davidson's co., **14.** 294.
rank, **16.** 73, 577, 609, 1182.
Wilkinson, Richard, a J. P., **6.** 342.
Wilkinson, Richard, army pay, **17.** 259.
Wilkinson, Sarah, adulteress, **2.** 262, 401, 413, 437.
Wilkinson, Thomas, deserter, **11.** 742.
Wilkinson, W., declines to allow Tryon to induct minister, **8.** 199.
Wilkinson, Wm., **2.** 413, 528.
Wilkinson, Wm., a J. P., **23.** 995.
Wilkinson, Wm., allowance to, **19.** 370.
Wilkinson, Wm., army pay, **17.** 256.
Wilkinson (Wilkerson, Wilkison), Wm., attorney, **1.** 584, 586, 588, 589, 590, 594.

buys, **1**. 606.
church warden, **1**. 544, 558, 560, 561.
collects taxes, **1**. 559.
enters caveat, **1**. 400.
executor of Gov. Harvey, **1**. 584.
gives power of att'y, **1**. 610.
law suits, **1**. 392, 405, 453, 485, 489, 493, 575, 576, 606, 607-608, 617-618, 620-621.
power of att'y to, **1**. 590.
proves will, **1**. 393.
services of, **1**. 597.
suits by, **1**. 610.
superintends poor, **1**. 569, 571.
surety, **1**. 425, 607.
to deliver weights and measures, **1**. 569.
to pay debts of Butler, **1**. 589.
vestryman, **1**. 543, 558, 560, 568, 571, 596, 599, 616, 629.
witness, **1**. 452.
Wilkinson, Wm., Caswell to on Br. prisoners, **13**. 314; on LaPort, **11**. 509; on McLeod and tories, **13**. 64.
contributes to S. C., **10**. 437.
coms'r on building, **24**. 137-8; on lot, **24**. 296; on navigation, **24**. 125, 218 (?)
deputy chm. of Wilmington S. C., **10**. 335, 345, 348, 363, 388, 389, 393, 410, 411, 412, 418, 419, 420, 421, 425, 426, 431, 435, 439.
goods held by S. C., **9**. 1150, 1222.
Harnett to on public affairs, **11**. 748-749, 762-763; and private affairs, **11**. 780-781, 785-786, 801-802, 808-810, 813-815, 817-822, 825-827; **13**. 361, 370-371, 374-375, 381-382; on removal of tories, **11**. 729-730; on smallpox, prices and lottery, **11**. 741-742.
on S. C. of Wilmington, **10**. 69, 72, 93, 112, 124, 141, 157, 158, 159, 160, 161, 220, 262, 279, 283, 299, 304, 328, 331, 334, 335.
paymaster, **10**. 691, 692.
payment to for money advanced, **10**. 628-629.
Read to on public affairs, **11**. 796-797.
resolve in favor of, **13**. 615, 616. 730, 734.
to Caswell on arrival of McLeod with flag of truce, **13**. 56-57.
to protect channel of Cape Fear River, **10**. 336.
to provide barracks, **10**. 388.
to receive powder materials, **10**. 412.
to Tryon on stamp act proceedings, **7**. 242-243.
Wilkinson, Wm., in Davidson's co., **14**. 294.
Wilkinson, Wm., land grants to, **4**. 772, 799, 962, 1247, 1249.
Wilkinson, Wm., on confiscation act, **15**. 203-5.
Wilkinson, Wm., road coms'r, **23**. 910.
Wilkinson, Wm., taxable, **15**. 192.
Wilkinson, Wm., tries negro, **7**. 685-686.
Wilkinson, Wm., voter, **15**. 237, 238.
Wilkinson, Wm., tried, **1**. 426-7.
Wilkinson (?), William, witness, **1**. 404.
Wilkinson, Wm., Jr., in militia, **22**. 161.
Wilkinson's, **2**. 804.
Wilkinson's Point, **22**. 292; **23**. 99.
granted to Pollock, **1**. 852.
Indians of make treaty, **1**. 935-6.
Wilkison. See Wilkinson.
Wilkison, Col., heirs of, **2**. 306.
Wilkison, Wm., **22**. 293.
Wilkison, Wm., complaints of, **2**. 262.
juror, **1**. 426.
law suit, **1**. 453.
Wilks. See Wilkes.
Wilks, Mr., **9**. 1092.
Wilks, Charles, indicted for adultery, **2**. 363, 370, 402, 403, 411, 414, 441, 443, 447.
smuggled off, **2**. 401, 405, 406, 439.
Wilks, Charles, land grant to, **4**. 354.
Wilks, Francis, army pay, **17**. 257.
Wilks, James, in militia, **15**. 399.
Wilks, Matthew, in militia, **22**. 318.
Wilks, Matthew, land grant to, **4**. 965.
Wilkson. See Wilkinson.
Wilkson, Wm., militiaman, **7**. 263.
Will, ——, asks Spotswood for help, **1**. 819-820.
Will, Headman of Wattogah, at Indian congress, **11**. 179.
Will, John, lieut., **15**. 443.
Will, Neuse, sells land, **4**. 34.
Willanawaugh, Indian, **11**. 655.
Willanawaw, Indian, **10**. 771.
Willenowow, at Indian congress, **11**. 179, 203.
Willinawaw, signs Cherokee treaty, **7**. 855.
Willace. See Wallace.
Willace, James, army pay, **17**. 258.

Willard, Anne, witness, **1.** 411.
Willard, John, juror, **4.** 525.
land grant to, **4.** 631.
Willard, Major, army rank, **15.** 721; **16.** 1182.
reënlists, **15.** 749.
Willard, Richard, witness, **1.** 411.
Willard, Sam., in militia, **22.** 270.
Willbery, Nuel, in militia, **22.** 352.
Willcocks. See Wilcocks, Wilcox.
Willcocks, Isachar, estate to, **6.** 534.
Willcocks, John, estate to, **6.** 534.
Willcocks, Joshua, attorneys appointed for lands of, **6.** 532-6.
gives power of attorney, **5.** 493.
land grant to, **6.** 773-774.
makes McCulloh and Campbell attorneys for himself, **5.** 622-623.
Willcocks, Joshua, estate to, **6.** 534.
Willcocks, Joseph, commissions Campbell and McCulloh attorneys for McCulloh grants, **6.** 532-536.
land grants to in Anson Co., **7.** 773-774.
Willcocks, Joseph, estate to, **6.** 534.
Willcocks, Thos., estate to, **6.** 534.
Willcocks, Thomas, land grant to, **4.** 1255.
Willcock's forge, 10. 825.
See also Wilcox's.
Willcox, ——, holds grant with McCulloh, **6.** 574.
Willes. See Wills.
Willes, John, asks questions as to gov't of N. C., **3.** 533, 535.
makes inquiries for charters, &c., **3.** 623.
Popple to on validity of N. C. laws, **3.** 532-533, 535.
Willesby, ——, tory, **22.** 144.
Willesson, Wm., petitions, **19.** 927.
Willet (Willets, Willitts), Hope, land grant to, **4.** 708, 885.
rights proved, **4.** 705.
Willet, James, regulator, **7.** 734.
Willet, James, regulator, **7.** 735.
Willet, S., to Gates asking for parole, **14.** 596.
Willets, Samuel, petitions on roads and ferries, **5.** 164-166.
Willey. See Wiley, Wyley.
Willey, ——, **10.** 613.
Willey, Hardy, petition, **19.** 407, 408, 437, 733.
Willey, James, in army, **15.** 724.
Willey, Thomas, asks pardon for Hunter, **9.** 86-87.
Willey, Wm., asks pardon for Hunter, **9.** 86-87.
Willford, Lewis, army rank, **13.** 529; **16.** 1187.
Willford, Richard, land grant to, **4.** 281.
Williakson, Jno., petitions, **19.** 927.
Williakson, Sam., petitions, **19.** 927.
William I., 10. 51; **15.** 677.
William III., 1. 508, 519; **2.** 155, 276, 319, 320, 482, 857, 858, 860, 861, 865, 916; **3.** 375; **4.** 757; **5.** 1108; **6.** 987, 1014; **7.** 95; **8.** 514; **9.** 1045, 1078; **10.** v; **21.** 427.
act to restore colonies to crown, **25.** 149-50.
charters from, **1.** 552.
indictment for treason against, **1.** 430-431.
instructions on pirates, **1.** 526-527; to Proprietors on trade and navigation laws, **1.** 496-504.
requires surety against frauds in customs, **1.** 492.
to be proclaimed in C., **1.** 363.
William, case of settled, **10.** 702-703, 707.
William, brig, **10.** 633.
William, brig, Hamilton on case of, **10.** 741-742, 745.
William, brigantine, **10.** 832.
seized, **10.** 508.
tried, **10.** 640.
William, ship, **10.** 309, 601.
William, ship, **22.** 403.
William, sloop, **18.** 566.
William, vessel, **10.** 551.
William and Mary, statutes of in force in N. C., **23.** 324-5.
William and Mary, brig, trades to Scotland, **1.** 467, 468.
William and Mary, ship, **4.** 258.
William and Mary College, Indians educated at, **1.** 817.
William and Robert, vessel, ment'd, **1.** 322.
William Brothers' Creek, 1. 656.
William Henry Fort, captured by French, **5.** 783.
Grainger commands at, **6.** 284.
William Jones's Plantation, 15. 786.
Williams, ——, **5.** xxix.
Williams, ——, **13.** 128.
Williams, ——, assigns land to McCulloh, **9.** 1002.
Williams, ——, case of, **18.** 423-424.
Williams, ——, land grant to, **4.** 1242.

Williams, ——, payment to, **5**. 798, 804.
Williams, ——, on regulation of Cross Creek, **15**. 209-11.
Williams, ——, quit rents of, **22**. 254.
Williams, ——, tory, captured, **22**. 138.
Williams, Mr., **6**. 793.
Williams, Mr., **13**. 52, 53.
Williams, Mr., builds salt works, **10**. 717.
Williams, Mr., examined on frauds, **18**. 109, 335.
Williams, Mr., in assem. from Chatham, **22**. 585.
Williams, Mr., on com. of assem., **12**. 304, 587.
Williams, Mr., payment to for Indians, **5**. 839, 858, 861.
Williams, Mr., receiver of powder money, **2**. 618, 621.
Williams, Mr., shows governor's commission to assembly, **3**. 288, 289.
Williams, Mr., visits Fanning, **16**. 206, 212.
Williams, Miss, **9**. 346, 347.
Williams, Mrs., **9**. 347.
Williams, Brig. Gen., sick, **14**. 512.
Williams, Capt., **7**. 247, 248.
Williams, Capt., **10**. 963.
Williams, Capt., **11**. 676.
Williams, Capt., **13**. 165.
Williams, Capt., **13**. 472, 473.
Williams, Capt., **14**. 851.
Williams, Capt., **15**. 520.
Williams, Capt., **22**. 756.
Williams, Capt., ammunition to, **14**. 413.
causes election row, **10**. 921-2.
clothing to, **14**. 716.
desires to join Porterfield, **14**. 535.
report on company of, **13**. 528; on tories, **15**. 555.
roster of company, **16**. 1003, 1004, 1010, 1012, 1013, 1026, 1027, 1028, 1029, 1041, 1042, 1043, 1049, 1050, 1051, 1056, 1062, 1064, 1073, 1075, 1076, 1087, 1088, 1089, 1090, 1095, 1097, 1100, 1102, 1103, 1109, 1110, 1111, 1124, 1130, 1132-3, 1134, 1142, 1144-5, 1153, 1154-5, 1156-7, 1168-9, 1170, 1177, 1178, 1181, 1182, 1183, 1184.
to march north, **11**. 684.
Williams, Col., **9**. 328.
Williams, Col., **13**. 196, 198, 207, 208.
Williams, Col., **14**. 409, 656.
Williams, Col., **16**. 522.
Williams, Col., **18**. 692.
Williams, Col., **22**. 535, 975.
Williams, Col., and Briar Creek battle, **14**. 279, 281.
commands 10th regt., **12**. 326.
Williams, Col., commands against Cherokees, **10**. xv.
Williams, Col., commands troops, **12**. 157.
marches north, **11**. 605; to Cross Creek against tories, **11**. 538.
on council of war, **14**. 719.
position of regt. in army, **12**. 508.
reports against Lynn, **15**. 120; on tories in Surry, **14**. 692.
resigns, **16**. 648; from State Legion, **19**. 259, 266, 309.
takes prisoners, **14**. 582.
to command Va. militia, **16**. 66.
to take troops to Cross Creek, **11**. xviii.
Williams, Col., in assembly, **17**. 897; **19**. 494.
Williams, Col., Milner to on law cases, **9**. 346-347.
Williams, Col., Board of War to on provisions, **14**. 408.
Williams, Mrs. Col., **16**. 522.
Williams, Gen., **14**. 532, 534.
Williams, Lawyer, **16**. 206.
Williams, Lieut., on board of rearrangement, **16**. 575.
receives pay, **14**. 335.
report on complaint of ment'd, **12**. 74-75.
Williams, Lieut. Col., **10**. 751.
and Briar Creek battle, **14**. 41.
Armand to on condition of troops, **14**. 555-6.
attacks tories, **15**. 6-7.
commands N. C. troops sent to aid of Christian, **11**. 356.
on equipments, **19**. 873.
resigns, **16**. 779.
to be sent to Va., **10**. 726.
Williams, Maj., **12**. 464.
commands S. C. troops in Cherokee expedition, **11**. 320.
Williams, Abb, stolen, **10**. 693.
Williams, Abraham, imports persons, **1**. 479.
Williams, Miss Agatha (Agga, Aggy), **9**. 363, 680, 801.
Williams, Alex., army pay, **17**. 256.
army rank, **16**. 1188.
Williams, Allenby, army pay, **17**. 260.
army rank, **16**. 1190.

Williams, Ambrose, asks for new county, **9.** 89.
Williams, Amos, in militia, **22.** 343.
Williams, Anne, imported, **1.** 479.
Williams, Anthony, coms'r to fix site of C. H., **25.** 246, 271.
Williams, Anthony, in militia, **22.** 284.
Williams, Anthony, land grant to, **4.** 595, 602, 704, 950.
quit rents of, **22.** 243.
Williams, Arthur, a J. P., **2.** 676; **3.** 223.
in assembly, **3.** 260, 285, 286, 291, 293, 313, 562, 612, 635; **4.** 115, 116, 130, 414.
juror, **4.** 521.
on com. of assembly, **3.** 542, 565, 567, 590, 604, 609; **4.** 85, 91, 121, 131, 135.
vestryman, **25.** 210.
Williams, Arthur, in militia, **15.** 399.
Williams, Arthur, juror, **4.** 522.
Williams, Arthur, quit rents of, **22.** 243.
Williams, Arts., petitions for Windsor as C. H., **9.** 804-5.
Williams, Ayliffe, arrested as powder receiver, **3.** 604, 611.
bond produced, **3.** 593.
buys journal book, &c., **3.** 282, 320.
claims, **4.** 149.
clerk of assembly, **3.** 156, 168, 260, 262, 263, 264, 265, 267, 269, 270, 272, 273, 275, 277, 278, 281, 283, 289, 293, 298, 303, 305, 306, 307, 310, 311, 313, 314, 315, 316, 317, 322, 323, 325, 354, 482, 483, 542, 543, 544, 545, 546, 562, 563, 565, 566, 567, 572, 573, 577, 578, 579, 580, 584, 587, 597, 602, 609, 611, 613, 622.
gives security, **3.** 290.
qualifies members of assembly, **3.** 562, 612.
secretary to Burrington, **3.** 467, 468, 469, 470, 471, 472.
Williams, B., payment to, **13.** 350, 352.
Williams, B. Nathl., army rank, **16.** 1185.
Williams, Benj., act to confirm land to, **25.** 46-7.
bill to confirm land to, **21.** 286, 297-8, 310, 345, 387, 650, 672, 675, 696.
coms'r on building, **23.** 821; to settle U. S. and N. C. accts., **20.** 557.
complains of Finch as J. P., **21.** 315.
in assembly, **17.** 266, 293, 303, 304, 328, 332, 334, 354, 359, 365, 366, 368, 387, 391, 394, 395, 406, 424, 635, 670, 705, 795; **18.** 10, 16, 23, 24, 59, 61, 87, 88, 90, 133, 135, 136, 312, 344, 361, 364, 389, 399, 412, 469, 470, 471, 817; **19.** 382, 384, 386, 401, 406, 460, 463, 467, 487, 516, 527, 732; **20.** 33, 55, 93, 475, 476, 478, 480, 490, 504, 514, 516, 518, 519, 520, 523, 525, 526, 527, 536, 543, 544, 546, 547, 550, 554, 555, 563, 567, 584, 587, 590; **21.** 5, 8, 46, 61, 63, 81, 107, 194, 199, 200, 203, 204, 207, 210, 213, 234, 264, 285, 294, 345, 379, 387, 402, 431, 578, 584, 588, 634.
in conv. 1788, **22.** 1, 4, 7, 25, 27, 29, 30, 31, 33.
nom. as agent to settle accounts, **21.** 117; for col., **17.** 858, 859; for lt. col., **17.** 951, 957.
on com. of assem., **16.** 51, 57, 64; **17.** 268, 302, 314, 322, 340, 358, 804, 805, 811, 812, 817, 818, 819, 822, 831, 843, 844, 845, 850, 852, 857, 896, 908, 909; **18.** 34.
petition, **21.** 637, 638, 640.
to Burke on equipping of troops, **15.** 621.
Williams, Benj., army rank, **16.** 1181.
Williams, Benj., army rank, **16.** 1185.
Williams, Benj., army rank, **16.** 1192.
Williams, Benj., army record, **13.** 480.
Williams, Benj., bill for services, **22.** 454.
in assem., **9.** 1188; **13.** 784, 913, 925, 966, 975, 980, 982, 988, 990, 1000.
in Prov. Cong., **9.** 1031, 1042, 1049; **10.** 165, 172, 960.
on com. of assem., **13.** 740, 790, 791.
on com. of Prov. Cong., **10.** 168.
on S. C. of Newbern Dist., **10.** 215.
Williams, Benj., in army, **15.** 730.
Williams, Benj., in militia, **22.** 309.
Williams, Benj., in militia, **22.** 331.
Williams, Benj., in militia, **22.** 416.
Williams, Benj., land grant to, **4.** 343, 619, 636, 677, 709, 804, 949, 1039, 1242.
land patent to, **6.** 1017.
Williams, Benj., lieut., **10.** 187.
Williams, Benj., lieut. commander, **17.** vii.
Williams, Benj., not promoted, **10.** 497.
Williams, Benj., officer, **18.** 449, 458.
Williams, Benj., ordered north, **11.** 664.

Williams, Benj., payment to for recruits, **10**. 920.
Williams, Benj., pensioner, **22**. 90.
Williams, Benj., town trustee, **24**. 21.
Williams, Benj., trustee univ., **25**. 22.
Williams, Benj., wants to go north with army, **11**. 580.
Williams, Bennet, pensioner, **22**. 91.
Williams, Bennet, takes oath, **22**. 169.
Williams, Brice, in assembly, **19**. 372, 374.
in Prov. Cong., **10**. 165, 166, 172, 913, 923.
to procure arms, **10**. 524.
Williams, Browning, in militia, **22**. 377.
Williams, Bruce, in assembly, **12**. 265, 278, 305, 308, 309, 311, 322, 323, 326, 346, 347, 368, 380, 399, 408, 409, 429, 441.
Williams, Buckner, pensioner, **22**. 90.
Williams, Caleb, land grant to, **4**. 650.
Williams, Chas., army rank, **16**. 1181.
Williams, Chas., in Indian war, **10**. 754.
Williams, Chas., in militia, **22**. 371.
Williams, Christian, quit rents of, **22**. 251.
Williams, Christo., juror, **4**. 518.
Williams, Clayborn, army pay, **17**. 259.
Williams, Coleden, army rank, **16**. 1192.
Williams, Daniel, **8**. 468; **9**. 717, 756.
regulators' entry on causes of, **8**. 237.
Williams, Daniel, act for land to, **24**. 629-30.
land grant to, **19**. 572.
petition, **21**. 215, 216, 256, 258, 259, 285, 286, 303, 330, 583, 587, 606-607, 612, 618, 637, 638, 662, 756, 758, 906.
Williams, Danl., army rank, **16**. 1184.
Williams, Daniel, captain, **11**. 832.
Williams, Danl., in militia, **22**. 160.
Williams, Dan'l, in militia, **22**. 394.
Williams, Daniel, leave to, **15**. 738.
Williams, Daniel, lieut., **10**. 518.
Williams, Daniel, receives deserters, **11**. 795.
to Sumner on not rejoining his brigade, **15**. 578.
Williams, Dan'l, takes oath, **22**. 176.
Williams, David, army rank, **16**. 1180.
Williams, Davd., army rank, **16**. 1191.
Williams, David, in militia, **22**. 276.
Williams, David, in militia, **22**. 386.
Williams, David, in militia, **22**. 415.
Williams, David, land grant to, **4**. 596, 602, 636, 1032, 1034.
rights proved, **4**. 598, 1032.
Williams, David, signs Pitt Asso., **10**. 221.
Williams, Dudley, army rank, **16**. 1193.
Williams, Ebenezer, **9**. 1230.
Williams, Ed., in militia, **22**. 352.
Williams, Ed., in militia, **22**. 382.
Williams, Ed., juror, **25**. 188.
Williams, Ed., quit rents of, **22**. 246.
Williams, Ed., quit rents of, **22**. 251.
Williams, Edmund, **15**. 761.
Williams, Edmund, **21**. 288.
Williams, Edmund, **22**. 410.
Williams, Edmund, a J. P., **23**. 994.
at S. C. meeting, **9**. 1080.
coms'r to locate pub. buildings, **24**. 880.
dist. auditor, **24**. 422.
in assem., **19**. 396.
money from, **21**. 1063, 1065, 1066.
on S. C. of Pitt Co., **9**. 1075, 1088, 1095, 1100, 1266; **10**. 14, 62, 295, 499, 618, 670.
owes State, **21**. 1078.
patroler, **10**. 63.
Williams, Edward, account of, **19**. 425, 438.
Williams, Edward, army pay, **17**. 258.
army rank, **16**. 1191.
claim, **19**. 756, 758.
coms'r on building, **24**. 991; on school, **24**. 979.
in assembly, **16**. 111, 127, 153, 156, 167; **17**. 878, 879, 936, 947, 948, 953; **19**. 391, 393, 396, 397; **20**. 479, 482; **21**. 5, 6, 8, 47, 52, 66, 74, 190, 246, 264, 294, 305, 332, 339, 344, 346, 387, 411, 433, 584, 588, 634.
in conv. 1788, **22**. 10, 26, 27, 31, 32, 35.
in conv. 1789, **22**. 38, 47, 48.
sheriff, **21**. 1077.
treats with Fanning, **22**. 222, 224, 225.
writes Fanning on the mare, **22**. 228, 239.
Williams, Edward, imported, **1**. 479.
Williams (Willams), Edward, law suit, **2**. 82-83, 84.
ordered not to administer on estate, **2**. 564-565.

refuses to pay Indian war fine, **2**. 113.
resists payment of fine, **2**. 59.
Williams, Edward, land grant to, **4**. 353, 650, 709, 804, 962.
Williams, Edward, negro of castrated, **6**. 740.
Williams, Elisha, army rank, **13**. 516; **16**. 1183.
Williams, Elisha, petitions for Windsor as C. H., **9**. 804-805.
Williams, Elizabeth, payment to, **20**. 584; **21**. 169.
Williams, Elizabeth, petition, **20**. 236, 283, 419, 425, 466, 468.
Williams, Eshmael, regulator, **7**. 733.
Williams, Ephraim, deserter, **15**. 509.
Williams, Ephraim, horseman, **15**. 509.
Williams, Frans., army rank, **16**. 1181.
Williams, Frans., army rank, **16**. 1192.
Williams, Francis, in army, **13**. 515.
Williams, Francis, in militia, **22**. 160.
Williams, Francis, takes oath, **22**. 176.
Williams, Geo., army rank, **16**. 1184.
Williams, Geo., army rank, **16**. 1193.
Williams, George, in army, **15**. 733.
Williams, Geo., in militia, **22**. 328.
Williams, Geo., in militia, **22**. 415.
Williams, George, juror, **4**. 524; **25**. 189.
land grant to, **4**. 590, 618.
Williams, George, patroler, **10**. 243, 451.
Williams, Geo., pensioner, **22**. 91.
Williams, Geo., quit rents of, **22**. 244.
Williams, Gillstrap, army pay, **17**. 256.
army rank, **16**. 1189.
in militia, **9**. 296.
Williams, H., in assembly, **21**. 1055.
Williams, Henry, in militia, **22**. 166.
Williams, Henry, murderer of executed, **13**. 559-560, 561, 661-2; to be burned, **13**. 375-376.
Williams, Henry, on patrol, **10**. 25.
Williams, Henry, petition, **16**. 74, 77, 86, 88, 112; **19**. 44, 54.
Williams, Henry, receives clothing, **16**. 619.
Williams, Henry, takes oath, **22**. 175.
Williams, Hollowell, colonel, **10**. 530.
in assem., **20**, 301, 329, 331, 347, 370, 372, 378, 380, 388, 390, 407, 416.
in militia, **9**. 58.
in Prov. Cong., **10**. 914, 916, 960.
Williams, Howell, clerk, **9**. 298.
Williams, I., **12**. 672.
Williams, Isaac, a J. P., **4**. 1038.
land grants to, **4**. 637.
Williams, Isaac, in militia, **22**. 326.
Williams, Isaac, in militia, **22**. 347.
Williams, Isaac, on regulation of Cross Creek, **15**. 209-11.
Williams, Isaac, to Caswell on tories, with comment, **15**. 525-526.
Williams, Isaac, quit rents of, **22**. 243.
Williams, Isaac, quit rents of, **22**. 258.
Williams, Isaac, to lead Cherokees, **10**. 660.
Williams, J., army pay, **17**. 258.
Williams, J., in assembly, **3**. 635.
Williams, J., Nash to on magazine, &c., **15**. 68.
Williams, J., payment to, **13**. 351.
Williams, J. W. See Williams, Judge John (of Granville).
Williams, Jackey, dead, **13**. 490.
See also Wilkinson, Jackey.
Williams, Jacob, brought before Prov. Cong. and discharged, **10**. 182, 191.
deposition on affairs in Anson, **10**. 126-127.
examined by S. C. and signs association, **10**. 161.
gives bonds, **10**. 826-827.
seized by S. C., **10**. 235; **11**. 655.
Williams, Jacob, lieut., **10**. 951.
Williams, Jacob, petition for division of Orange Co., **9**. 809-810.
Williams, Jacob, tax receiver, **20**. 594.
Williams, Jacob, voter, **15**. 237, 238.
votes for Walker, **16**. 945.
Williams, James, **2**. 807.
Williams, James, **20**. 487; **21**. 291, 984, 985.
Williams, James, a J. P., **5**. 992.
juror, **4**. 518.
land grant to, **4**. 804, 1049.
resurvey to, **7**. 120.
Williams, James, act to vest bridge in, **24**. 634-5.
bill to vest bridge in, **19**. 530, 531, 535, 539, 560, 564, 568.
chairman com. of whole, **17**. 889, 892.
coms'r on building, **24**. 461; on town, **24**. 247, 622; to sign bills, **24**. 184.
declines to sign bills, **22**. 937.
in assembly, **12**. 655, 656, 674, 676, 681, 685, 689, 699, 701, 703, 710, 717, 718, 723, 728, 730, 731, 736, 743, 744, 816, 873, 879; **13**. 625, 627, 655, 690; **16**. 1, 127; **17**. 715, 741, 748, 877, 878, 903, 906, 930, 935, 936, 948, 951, 953; **19**. 61, 73, 82,

85, 87, 89, 90, 92, 93, 115, 116, 377, 379, 384, 387, 390, 391.
nom. for C. C., **17**. 856, 941; for C. of S., **19**. 188, 204, 312, 332.
on com. of assembly, **16**. 105, 112, 125, 132, 141; **17**. 647, 658, 661, 662, 666, 676, 677, 716, 717, 721, 725, 726, 727, 731, 741, 742, 743, 755, 757, 811, 812, 823, 843, 845, 895, 900, 903, 908, 909, 933, 935, 936, 938, 946, 948, 953.
receives pay for soldiers, **17**. 244.
report of com. on accounts of, **16**. 85-86, 88, 112.
to command militia, **17**. 771-2, 776.
Williams, James, accuses Pitts of stealing slaves, **10**. 692-693.
Williams, James, allowance to, **19**. 373; for damages, **12**. 568, 572, 610, 673, 675-676, 797, 801, 858; **13**. 908.
claims for services allowed, **10**. 567.
nom. as atty. gen., **13**. 755, 808.
on com. of assembly, **12**. 554, 560, 586, 596, 660, 665, 667, 691, 695, 705, 706, 770, 827, 828, 857; **13**. 535, 690.
Williams, James, and Enoree skirmish, **15**. 171.
and King's Mountain battle, **14**. 685; **15**. xi, 101, 106, 116, 131, 133, 134, 135, 136, 142, 163, 164; **22**. 140, 158.
bill in favor of securities of, **21**. 357, 375, 410, 419, 420-421, 684; on will, **21**. 1005, 1007.
defeats Ferguson, **14**. 428.
expected to join Cleaveland, **14**. 664.
fights with tories, **22**. 190, 237.
joins other troops for King's Mtn., **14**. 782, 786.
killed at King's Mtn., **14**. 675, 685; **15**. xii, 103, 108, 132, 391.
letter of ment'd, **14**. 409.
memorial of son, **21**. 17, 74, 75, 78.
to be captured, **22**. 189, 190.
to Gates on pursuit of Ferguson and invasion of Ga., **15**. 94.
to Luttrell on command of Chatham militia, **15**. 623.
treats with Fanning, **22**. 214, 215, 216, 217, 238.
Williams, James, army pay, **17**. 256.
Williams, James, army pay, **17**. 258.
Williams, Jas., army rank, **16**. 1182.
Williams, Jas., army rank, **16**. 1187.
Williams, James, army rank, **16**. 1189.
Williams, James, ensign, **10**. 546.
Williams, James, in army, **15**. 724, 739.
Williams, Jas., in militia, **22**. 283.
Williams, Jas., in militia, **22**. 285.
Williams, James, in militia, **22**. 496.
Williams, Jas., juror, **25**. 189.
Williams, James, letter from ment'd, **22**. 577.
Williams, James, lieut., **10**. 621.
Williams, James, major, **17**. vii.
Williams, James, on Pitt Co. S. C., **10**. 499.
patroler, **10**. 63.
Williams, James, petition, **17**. 320, 322, 343.
Williams, James, petition, **19**. 145, 259, 261, 269, 270, 272, 636, 644, 656, 658; **20**. 34; **21**. 1034, 1042.
Williams, James, prisoner, **17**. 1046.
Williams, James, prisoner, **22**. 551.
Williams, Jas., quit rents of, **22**. 243.
Williams, Jas., quit rents of, **22**. 251.
Williams, James, regulator, **7**. 733.
Williams, James, regulator, **7**. 735.
Williams, James, regulator, **8**. 79.
Williams, James, salt for, **10**. 705.
Williams, James, takes oath as lawyer, **22**. 503.
Williams, James, to Burke on prisoners taken by tories, **22**. 571-2.
Williams, James, to pay for salt, **10**. 999.
Williams, James, to take possession of negroes, **10**. 699.
Williams, James, to Caswell introducing Drake, **11**. 515.
Williams, James J., signs Pitt Asso., **10**. 221.
Williams, Jarret, deposition on hostile intentions of Cherokees, **10**. 660-661, 665.
pensioned, **10**. 979.
Watauga to be annexed, **10**. 708-711.
Williams (William), Jenkins, buys land, **1**. 485.
juror, **1**. 426, 595.
prosecutes, **2**. 407, 415.
road overseer, **1**. 494.
sell land, **1**. 488.
Williams, Jereh., army rank, **16**. 1193.
Williams, Jeremiah, captain, **14**. 264.
Williams, Jesse, goods of impressed, **15**. 524.
Williams, Jesse, in militia, **9**. 297.
Williams, Jesse, in militia, **22**. 327.
Williams, Jesse, in militia, **22**. 342.

Williams, Jesse, in prison, **15.** 489.
Williams, Job, pensioner, **22.** 91.
Williams (William), Johanna, sells land, **1.** 488.
Williams, John, **2.** 356, 521, 807.
Williams, John, **11.** 536.
Williams, John, **13.** 166.
Williams, John, **21.** 192.
Williams, John, **23.** 383.
Williams, John, a J. P., **4.** 712, 970.
asks for resurvey, **4.** 335.
claims ferry, **4.** 221.
encourages settlement at New River, **3.** 624.
land grants to, **4.** 221, 281, 329, 332, 334, 336, 343, 354, 443, 625, 643, 677, 703, 704, 710, 759, 800, 804, 853, 892, 947, 950, 960, 965, 970, 1039, 1047, 1049, 1241, 1247, 1248.
land to be resurveyed, **4.** 280.
rights proved, **4.** 1039.
surveys land patent, **4.** 802.
takes farms of others, **3.** 364.
Williams, John, a J. P., **6.** 762.
Williams, John, a J. P., **23.** 993.
Williams, John, a J. P., **23.** 994.
Williams, Jno., allowance to, **19.** 371.
Williams, John, approves recommendation of Jones, **11.** 524.
Williams, John, army pay, **17.** 256.
Williams, John, army pay, **17.** 257.
Williams, John, army pay, **17.** 258.
Williams, John, army pay, **17.** 259.
Williams, Jno., army rank, **16.** 1180.
Williams, Jno., army rank, **16.** 1181.
Williams, Jno., army rank, **16.** 1184.
Williams, Jno., army rank, **16.** 1185.
Williams, Jno., army rank, **16.** 1186.
Williams, Jno., army rank, **16.** 1188.
Williams, John, army rank, **16.** 1191.
Williams, John, army record, **13.** 480.
Williams, John, asks for lapse patent, **2.** 488, 494, 495.
Williams, John, asks for new county, **9.** 89-90.
Williams, John, boundary coms'r, **24.** 866.
Williams, John, claims allowed, **9.** 371, 590.
Williams, John, clerk of militia co., **22.** 416.
Williams, John, commissary, **12.** 99.
Williams, John, coms'r on navigation, **23.** 375.
Williams, John, corporal, **10.** 753.
Williams, John, doorkeeper to C. of S., **22.** 954.
Williams, John, gives land for L. H., **21.** 940; **25.** 65.
Williams, John, imported, **1.** 479.
Williams, John, in army, **15.** 726.
Williams, John, in army, **15.** 726.
Williams, John, in assembly, **17.** 715, 909, 936, 953; **20.** 154, 302, 303, 328, 331, 343, 347, 370, 372, 378, 380, 390, 416, 426, 427, 431, 434, 438, 455, 473.
on com. of assembly, **16.** 112, 115, 116; **17.** 727, 731, 755, 811, 823, 843, 845, 896, 908, 909.
Williams, Jno., in militia, **22.** 284.
Williams, Jno., in militia, **22.** 321.
Williams, Jno., in militia, **22.** 322.
Williams, Jno., in militia, **22.** 371.
Williams, Jno., in militia, **22.** 375.
Williams, Jno., in militia, **22.** 379.
Williams, John, in militia, **22.** 494.
Williams, John, in militia, **22.** 496.
Williams, John, in militia, **22.** 497.
Williams, John, in militia, **22.** 498.
Williams, John, juror, **2.** 364, 398, 477.
Williams, John, juror, **4.** 520.
Williams, John, juror, **4.** 523.
Williams, Jno., juror, **25.** 189.
Williams, John, lands sold, **21.** 420-1, 424, 435, 436.
Williams, John, lead mine on lands of, **10.** 927, 956.
payment to to work lead mine, **10.** 698.
Williams, John, lieut., **10.** 187.
resigns as lieut., **10.** 287.
Williams, John, lieut. col., **10.** 205.
Williams, John, memorial, **19.** 207, 209, 339; **20.** 483, 487, 490, 496, 497, 532, 597.
Williams, John, memorial on school, **7.** 35-36.
Williams, John, Nash to on notes, **9.** 363.
Williams, John, New England trader, **1.** 272.
Williams, John, on com. to collect aid for Boston, **9.** 1081.
Williams, John, on court martial, **11.** 752.
Williams, John, pensioner, **22.** 92.
Williams, John, petition, **18.** 58, 290.
Williams, John, petitions for relief on bills burned, **6.** 475, 483.
Williams, John, petition on separation, **22.** 705-11.
Williams, John, petition on who are tithables, **9.** 97.

Williams, John, quit rents of, **22.** 243.
Williams, John, quit rents of, **22.** 243.
Williams, John, quit rents of, **22.** 245.
Williams, Jno., quit rents of, **22.** 254.
Williams, John, receives clothing, **16.** 619.
Williams, John, regulator, **8.** 80.
Williams, John, resigns as capt., **10.** 203.
Williams, John, ship captain, **22.** 958.
Williams, John, surety, **8.** 196.
Williams, John, tried for felony, assault, &c., **2.** 713, 717-718.
tried for counterfeiting, **2.** 587-588, 594.
Williams, John (colonel), **10.** 941, 949, 957; **11.** xii; **15.** 612.
Caswell to on British at Ocracock, **11.** 775-6; on payment of troops, **11.** 565-566; on returns of troops and preparation for march north, and answer, **11.** 518-519, 520-521.
col. 9th regt., **22.** 153.
commends Rice, **11.** 575.
consulted on movement of powder, **11.** 530.
Edwards to on fences, &c., **9.** 678-680.
has race path, **9.** 370.
in command at Halifax and moves north, **11.** xv.
orders Read to remain in N. C. as recruiting officer, **11.** 601.
reports on bad influence of prisoners at Halifax, **12.** 80-81.
return of troops under, **11.** 824; handed to, **11.** 524, 578.
Ridley to on land bounds, **9.** 801; on stolen horse, **9.** 342.
roster of reg't, **16.** 1006, 1016, 1032, 1044, 1052, 1058, 1067, 1078, 1091, 1097, 1104, 1115, 1126, 1130, 1136, 1147, 1158, 1172, 1178, 1186.
to Caswell on commissions for officers, **11.** 597; on 9th regiment, **11.** 486; on payment of troops, &c., **11.** 581; on returns of troops, **11.** 740; on returns, recruiting and resignations, **11.** 579-580; on salt and lead raids on Cross Creek, **11.** 526-527.
troops of do not move against tories, **11.** 554.
Williams, John (of Caswell), **13.** 105, 483; **14.** 465; **21.** 418, 720.
Caswell to on purchase of wagons, **13.** 114-115; on Va. boundary guard, **14.** 192-193; on wagons for transportation of supplies, **13.** 70-71.
coms'r on boundary, **24.** 223.
draft in favor of, **13.** 114, 120.
in assembly, **12.** 655, 656, 699, 717, 718, 723, 730, 731, 736, 766, 816, 817, 822, 879; **13.** 636, 657, 690, 697, 708, 709, 712, 717, 721; **19.** 377, 378.
memorial, **21.** 8, 12, 23, 26-27, 32, 34, 216, 269, 272, 434, 585-586, 588, 624.
nom. for C. of S., **21.** 778, 818, 822, 935, 987, 993.
on com. of assem., **12.** 554, 660, 667, 695, 766, 770, 772, 788, 821, 827, 828, 846, 847; **13.** 541, 547, 558, 597, 636, 642, 658, 690, 697, 699, 705.
sends wagons for transportation of clothing, **13.** 78; to take goods north, **13.** 83, 93.
to Caswell on buying wagons, **13.** 192; on public affairs, **13.** 216, 237-238.
Williams, John (of Chatham), nom. for C. of S., **21.** 818, 987.
school trustee, **24.** 869.
Williams, John (of Granville), **11.** 595; **15.** 410, 556, 560; **16.** 1200; **22.** 570.
accepts judgeship, **14.** 34.
account of, **19.** 422, 607.
accounts as member C. C., **19.** 752, 755.
act to vest lands in, **24.** 530-1, 640, 991.
agent for Transylvania Co. and duties, **10.** 256-7, 260.
answers charges, &c., **18.** vi-viii, 167, 194, 215, 216, 390, 408, 421-425, 428-429, 457, 461, 476, 477-483.
asked to attend assembly, **21.** 976.
asks Tryon for peace for regulators, **8.** 640-641.
at meeting of Transylvania proprietors, **10.** 256-61.
beaten by regulators, **8.** xix, 242, 245.
Burke to on certain laws, **16.** 616-618; on lack of money, **16.** 532.
buys Transylvania, **18.** 155-2.
chm. com. of whole, **13.** 656.
coms'r on building, **24.** 177; on town, **24.** 878.
committee on accounts of, **19.** 488, 828-9, 835.
commits prisoners, **15.** 609.

extra salary allowed to, **17**. 703, 714, 787.
grants license to Davie, **15**. 385-386.
Henderson (?) to on Transylvania, &c., **13**. 490-494.
in assembly, **12**. 265, 278, 305, 308, 309, 311, 322, 323, 326, 368, 380, 399, 408, 409, 429, 441, 655, 656, 735; **13**. 584, 625; **19**. 1, 2, 3, 7, 22, 29, 35, 43, 44, 69, 72, 73, 82, 87, 89, 115, 116, 129, 130, 141, 168, 172, 184, 214, 256, 291, 372, 374, 376, 381, 383, 385, 387, 389.
in C. C., **12**. v, 602, 626, 634, 711, 721, 730, 774, 831; **13**. vii, 112-113; and commission to, **13**. 408-409; resigns, **13**. 584, 683, 688, 689; **14**. 258-259.
in Prov. Cong., **10**. 165, 166, 167, 168, 172.
Iredell to on courts and atty. gen., **19**. 890-892; on legal matters, **15**. 670-672.
judge, **13**. vii, 754, 755, 756, 807, 808, 811; at Craven ct., **14**. 302-303.
Martin to on case of Mallett, **16**. 879.
memorial on depreciation, **20**. 150, 153, 288, 292, 330-331.
nom. for judge of Superior Ct., **12**. 232, 413; for C. of S., **21**. 386, 703; for gov., **16**. 35, 37; **17**. 310, 318, 798, 885; **19**. 15, 16; **20**. 29, 207, 388; **21**. 282, 630; for judge, **13**. 584, 689; for U. S. Senator, **21**. 253, 614.
on com. of assem., **17**. 636, 637, 639, 644, 647, 659, 716, 723, 736, 743, 747, 758, 811, 812, 813, 823, 843, 845, 896, 905, 906, 908, 909, 923.
on com. of Prov. Cong., **10**. 168.
orders regulators to be jailed in Newbern and Wilmington, **7**. 743-744.
owes State, **21**. 1070.
Penn to on C. C., &c., **15**. 453-4.
qualifies Burke, **17**. 899.
quarrels with Spencer and opposes Mallett, **16**. 965-6.
quoted on violence of the times, **16**. 944.
regulators' entry on cause of, **8**. 236, 237.
reports on clash with U. S. Court, **21**. 1079-1080.
school trustee, **13**. 809.
sends history of Geneva to Caswell, **14**. 35.
speaker H. of C., **12**. 550, 554, 555, 562, 563, 564, 566, 567, 570, 571, 572, 574, 578, 581, 583, 584, 586, 588, 589, 590, 596, 600, 601, 602, 603, 604, 605, 606, 608, 626, 628, 657, 730; **13**. 452.
thanked by assembly, **13**. 555, 557, 558, 569, 653, 671-672.
to Burke on tories, **16**. 586.
to Caswell on public affairs, **22**. 984-5; on Va. boundary dispute, **14**. 353-355.
to Jones on resigning from C. C., **22**. 989-90.
to Martin on courts, **22**. 610-612; on trial of tories and others, **16**. 345-347; **22**. 610-12.
to Nash on Br. movements and Col. Armand, **14**. 829-830; on court and domestic affairs, **15**. 77.
to the Proprietors on Transylvania land sales and Indian attacks, **10**. 382-387.
tries tories, **16**. 266-269.
trustee Univ., **25**. 22.
Williams, John (of John and Eliz., schooner), **9**. 354.
asks protection for pilots, **9**. 803-4.
oath on the John and Elizabeth affair, **9**. 322.
Williams, John (of Newbern), school trustee, **25**. 484.
town and fort coms'r, **25**. 253, 254.
Williams, John (of Pitt), in assembly, **12**. 656, 699, 717, 718, 723, 730, 731, 736, 766, 816, 817, 879; **13**. 584, 625, 690, 697, 708, 709, 712, 717, 721, 785, 812, 813, 824, 913, 925, 966, 975, 980, 982, 983, 1000.
in assem., **19**. 377, 378, 400, 401, 418, 460, 463, 467, 487, 750, 816; **20**. 2, 3, 39, 43, 46, 68, 72, 76, 79, 81, 82, 83, 89, 102; on com. of assembly, **12**. 695, 770, 827, 828; **13**. 535, 547, 630, 646, 690, 790, 791.
on S. C. of Pitt, **10**. 38, 62, 243, 295, 451, 618, 670.
patroler, **10**. 451.
school trustee, **24**. 867.
Williams, John (of S. C.), memorial, **21**. 17, 32, 34, 74-75, 78.
Williams, John (son of Daniel), claims allowed, **8**. 468; **9**. 717, 756.
Williams, Mrs. John, 9. 363.
Williams, Mrs. Judge John, 9. 680;

13. 490, 493; **15**. 77, 672; **16**. 532; **19**. 892.
Williams, John, Jr., asks relief from church tax, **9**. 95-96.
Williams, Jno., Jr., in militia, **22**. 367.
Williams, Jno., Jr., in militia, **22**. 371.
Williams, John, Jr., patroler, **10**. 64.
Williams, John, Jr., petitions for repeal of tax on free negroes, **6**. 982-3.
Williams, Jno., Sr., in militia, **22**. 368.
Williams, John Pugh, **14**. 7.
brig. gen., **13**. 765, 766, 783; **18**. 804, 806, 823, 824; **20**. 100, 103.
captain, **10**. 517, 520.
coms'r on school, **24**. 984.
in assembly, **17**. 313, 328, 355, 359, 365, 366, 368, 387, 395, 406, 410, 425; **19**. 383; **20**. 35, 82, 485, 506, 509, 511, 520, 534, 547; **21**. 13, 14, 21, 44, 47, 51, 52, 60, 66, 74, 77, 81, 110, 115, 121, 133, 155, 160, 168, 179, 191.
in conv. 1788, **22**. 7, 26, 27, 30, 31, 32, 34.
lieut. col., **22**. 939.
nom. for brig. gen., **17**. 413.
on com. of assem., **17**. 380.
Williams, Jon., juror, **25**. 189.
Williams, Joseph, a J. P., **4**. 1039.
Williams, Jos., and Va. boundary, **14**. 139-140, 144, 145-146, 318.
Williams, Joseph, army pay, **17**. 258.
army rank, **16**. 1187.
at council on tories, **15**. 123.
building coms'r, **25**. 246, 270, 271.
claim allowed, **5**. 976; **22**. 832.
complains against Miller, **6**. 999-1000, 1020.
in assem., **6**. 801, 820, 841, 852, 855, 893, 899, 915, 919, 961, 965, 1150, 1241, 1278, 1296; **7**. 72, 343, 354, 384, 399, 406, 573, 596, 604, 628, 641, 644; on com. of assembly, **6**. 805, 817, 896, 913, 1153, 1263.
land grant to, **4**. 805, 1238.
rights proved, **4**. 1238.
petition rejected, **6**. 671.
Williams, Jos., commissions for, **14**. 193.
Williams, Jos., gives land for L. H., **21**. 940; **25**. 65.
Williams, Joseph, goods of stolen, **10**. 693, 699.
Williams, Joseph, imported, **1**. 395.
Williams, Jos., in army, **15**. 724.
Williams, Joseph, in Cherokee campaign, **10**. 883, 963-964; **11**. xvi.
in Prov. Cong., **10**. 166, 167, 172, 180, 181, 513, 523, 967; on com. of Prov. Cong., **10**. 175, 522.
to buy horses, **10**. 535.
to Caswell on Va. boundary, and answer, **14**. 109-110, 117.
to Prov. Cong. on Cherokee campaign, **10**. 892; on regulation of Cherokees, **10**. 912-913, 951.
Williams, Joseph, in militia, **22**. 160.
Williams, Jos., in militia, **22**. 284.
Williams, Jos., in militia, **22**. 307.
Williams, Jos., in militia, **22**. 342.
Williams, Jos., in militia, **22**. 346.
Williams, Jos., in militia, **22**. 394.
Williams, Jos., in militia, **22**. 418.
Williams, Joseph, in militia, **22**. 496.
Williams, Jos., lieut. colonel, **10**. 206, 532.
Williams, Jos., memorial, **21**. 831, 862-863, 865, 1000, 1003, 1053.
money from, **21**. 1065.
Williams, Joseph, petitions for division of Orange Co., **9**. 809.
Williams, Jo., reports on tories, **14**. 669.
Williams, Jos., resigns as J. P., **18**. 253.
Williams, Jos., school trustee, **24**. 690.
Williams, Jos., vestryman, **23**. 343.
Williams, Jos., Jr., in militia, **22**. 394.
Williams, Joseph, Jr., protests against regulators, **8**. 273-4.
Williams, Jos. John, executor of Alston, **10**. 514.
in assembly, **19**. 372.
in Prov. Cong., **10**. 500, 523; on com. of Prov. Cong., **10**. 504.
on Council of Safety, **10**. 581, 619, 684.
on S. C. of Halifax, **9**. 1101.
paymaster, **10**. 290.
sickness in family of, **10**. 833.
to have Anson folks instructed, **10**. 693.
to make arms, **10**. 354, 539.
to pay minute men, **10**. 291.
to receive bond, **10**. 691.
Williams, Josiah, petitions for Windsor as C. H., **9**. 804-805.
Williams, Juley, juror, **4**. 518.
Williams, Lewis, appraiser, **1**. 448.
drives Meherrins, **2**. 643.
examined, **1**. 742.
land lapses, **2**. 461.

settler, **1**. 659-60, 669-70.
vestryman, **2**. 208; **23**. 7.
Williams, Lewis, a J. P., **5**. 996; **6**. 1008.
certificate of on election, **8**. 40.
debts due by, **8**. 280-281; as sheriff, **9**. 575.
Williams, Lewis, a J. P., **22**. 918; **23**. 995.
British camp on lands of, **15**. 627.
in assembly, **17**. 884, 947, 948, 953, 963; **19**. 392, 393.
Williams, Lewis, allowance to, **22**. 860.
Williams, Lewis, exempted, **6**. 1299.
Williams, Lewis, exempted, **6**. 1299.
Williams, Lewis, in militia, **17**. 1042.
Williams, Lewis, in militia, **22**. 310.
Williams, Lewis, in militia, **22**. 341.
Williams, Lewis, in militia, **22**. 391.
Williams, Lewis (Onslow), school trustee, **24**. 535.
Williams, Lewis F., ordination unnecessary, **5**. 1179, *note*.
Williams, Lodewick, in militia, **22**. 346.
Williams, Lodewick, in militia, **22**. 347.
Williams, Lodowick, juror, **4**. 518.
Williams, Lott, in militia, **22**. 342.
Williams, Luis, in militia, **22**. 497.
Williams, Martha, land lapses, **2**. 494.
Williams, Martin, stolen, **10**. 693.
Williams, Math., land grant to, **4**. 619.
Williams, Michl., army rank, **16**. 1191.
Williams, Michael, in militia, **22**. 340.
Williams, Morson, army rank, **13**. 522; **16**. 1187.
Williams, Moses, army pay, **17**. 258.
Williams, Moses, in militia, **22**. 333.
Williams, Mosson, army pay, **17**. 257.
Williams, N., rank, **16**. 664.
Williams, Nathan, a J. P., **4**. 713, 966.
claim allowed, **5**. 982.
Williams, Nathan, a J. P., **23**. 994.
allowance to, **19**. 370.
claims allowed, **13**. 615, 616, 731, 733.
in militia, **9**. 1076.
lead near plantation of, **10**. 565.
new certificate to be granted to, **12**. 184, 360.
Williams, Nath., gun impressed, **22**. 413.
Williams, Nathan, in assembly, **16**. 1, 127; **19**. 234.
Williams, Natha., juror, **4**. 517.
Williams, Nath., juror, **4**. 522.
Williams, Nathan, juror, **4**. 524.
Williams, Nath., juror, **25**. 187.
Williams, Nath., quit rents of, **22**. 258.
Williams, Nathan, resigns as J. P., **20**. 598.
sheriff, **21**. 1075.
Williams, Nathan Brice, lieut., **10**. 944.
Williams, Nathaniel, and army frauds, **18**. 375.
Cont. lieut., **22**. 1049.
in Prov. Cong., **10**. 165, 167, 172.
officer, **18**. 486.
receives pay for soldiers, **17**. 195, 197, 216, 219, 220, 226, 227, 228, 231, 232, 249, 250, 253, 256.
Williams, Nathaniel, army pay, **17**. 260.
army rank, **16**. 73, 609, 1191.
Williams, Nathaniel, in assembly, **9**. 393, 397, 401, 407, 431, 433, 448, 480, 485, 495, 505, 517, 537, 556, 589, 734.
Williams, Nathaniel, pay to, **22**. 491.
Williams, Nathaniel, town coms'r, **23**. 895.
Williams, Nehemiah, regulator, **7**. 733.
Williams, Nicholas, army pay, **17**. 260.
Williams, Nichs., army rank, **16**. 1190.
Williams, Nichs., army rank, **16**. 1193.
Williams, Noel, arrested, **7**. 948.
Williams, Obed., in militia, **22**. 343.
Williams, Otho H. (of Md. line), **14**. 414, 419, 688; **19**. 961, 962.
Board War to on swords, **14**. 438.
makes return of shoes, **14**. 432.
movements, **22**. 124, 125.
needs clothing, **14**. 681-682.
opinion quoted, **14**. 604.
pistols to, **14**. 431.
reports on clothing, **14**. 714-716; on losses at Guilford, **17**. 1038.
to Gates on soldiers as waiters, **14**. 716-717; on supplies and condition of troops, **14**. 734-5.
Williams, P., in assembly, **21**. 584, 588, 634; on com. of assem., **17**. 316, 358.
Williams, Col. P., goes to Md., **16**. 202.
Williams, P. Jno., army rank, **16**. 1183.
Williams, Peter, army pay, **17**. 258.
army rank, **16**. 1187.
Williams, Peter, army rank, **16**. 1190.
Williams, Peter, in militia, **17**. 1042.
Williams, Peter, in army, **15**. 724.
Williams, Peter, in militia, **22**. 160.
Williams, Philip, in militia, **22**. 497.
Williams, Pugh, **21**. 505.

Williams, R., furnishes account of Moravians, **5**. 1163.
Williams, Ralph, allowance to, **13**. 571-572, 674, 675; **19**. 369.
army rank, **16**. 1186.
lieut., **10**. 944.
pay due to, **11**. 347.
Williams, Ralph, in militia, **22**. 452.
Williams, Richard, **2**. 807.
Williams, Richard, act to vest lands of in Quakers, **25**. 48.
conveys land for church, **21**. 237.
Williams, Richard, army pay, **17**. 257.
Williams, Richard, in Indian war, **10**. 754.
Williams, Richard, law suit, **1**. 397.
Williams, Richard, juror, **4**. 521.
land grant to, **4**. 712.
Williams, Richard, on S. C. of Pitt, **10**. 38, 62, 243.
patroler, **10**. 64.
petitions for Tyson, **16**. 580-581.
signs Pitt Asso., **10**. 222.
Williams, Richard, petition on C. H., **9**. 806-808.
Williams, Richd., quit rents of, **22**. 244.
Williams, Robt., army rank, **16**. 1186.
Williams, Robt., army rank, **16**. 1191.
Williams, Robert, army rank, **16**. 1191.
Williams, Robert, fife major, **11**. 853.
Williams, Robt., in militia, **22**. 327.
Williams, Robert, in army, **13**. 522.
Williams, Robert, in assembly, **18**. 241, 312, 317, 344, 361; **20**. 120, 121, 133, 165, 167, 195, 216, 246, 276, 285, 287, 288, 314.
in conv. 1788, **22**. 3, 5, 25, 28, 30.
in Prov. Cong., **9**. 1179.
Williams, Robert, juror, **4**. 521.
land grants to, **4**. 342, 710.
Williams, Robert, lands of escheat, **2**. 168.
surveys land, **2**. 172.
Williams, Roberts, payment to for salt works, **10**. 621.
prepares to make salt, **22**. 745.
report on salt works of, **10**. 999-1000; methods of making criticized, **10**. 724.
to build salt works, **10**. 538-539.
to Coor on salt making, **22**. 738-9.
to Council of Safety on salt making, **10**. 723-724, 739, 799-801; **22**. 745-6.
to Harnett on salt making, **22**. 739-42.
Williams, Robert, pensioner, **22**. 90.
Williams, Robert, refuses to march troops, **14**. 184.
Williams, Robert, reports on threatened invasion of S. C., **13**. 234-235.
Williams, Robert, settler, **1**. 76.
Williams, Robert, to Caswell on medicines, **14**. 291-2.
Williams, Robert, tory, **22**. 229.
Williams, Robert, witness, **5**. 441.
Williams, Robert, work as Baptist preacher, **5**. 1165.
Williams, Robert, Jr., surgeon, **22**. 957.
Williams, Rodger, land of, **1**. 63; a boundary, **1**. 254.
Williams, Roland, horseman, **15**. 509.
Williams, Rowland, a J. P., **4**. 46, 346, 966.
claims for negro executed, **4**. 530.
juror, **4**. 523.
land grants to, **4**. 589, 592, 628.
Williams, S., on com. of Assembly, **7**. 345.
Williams, Sall, stolen, **10**. 693.
Williams, Sambo, castrated, **6**. 740.
Williams, Sampson, land grant to, **4**. 711.
Williams, Samson, act for land to, **24**. 630.
Williams, Sam'l, a J. P., **2**. 607.
enters caveat, **2**. 607.
Williams, Samuel, a J. P., **4**. 48, 346, 813, 966.
bill to help him sell land, **4**. 235.
juror, **4**. 521.
land grants to, **4**. 280, 353, 590, 593, 635, 638, 640, 675, 703, 708, 711, 766, 768.
Williams, Samuel, a J. P., **15**. 693.
Williams, Sam'l, a J. P., **23**. 994.
Williams, Samuel, army pay, **17**. 258.
Williams, Saml., army rank, **16**. 1183.
Williams, Saml., army rank, **16**. 1190.
Williams, Sam'l, blacksmith, **15**. 477, 619.
Williams, Samuel, brought before Prov. Cong. and discharged, **10**. 182, 191.
seized by S. C., **10**. 235.
Williams, Samuel, deposition on affairs in Anson Co., **10**. 125-126.
Williams, Samuel in army, **13**. 505.
Williams, Saml., in assembly, **13**. 766, 785, 786, 812, 813, 823, 913, 925, 975, 980, 982, 984, 988, 990, 999; **16**. 2, 127; **17**. 276, 293, 304, 328, 355,

359, 362, 364, 366, 368, 387, 391, 394, 395, 406, 425, 877, 878, 936, 947, 963; **18**. 804; **19**. 381, 385, 391, 393; on com. of assem., **17**. 401.
on com. of assem., **13**. 740, 790, 791.
Williams, Samuel, in militia, **17**. 1060.
Williams, Samuel, in militia, **15**. 399.
Williams, Sam'l, in militia, **22**. 327.
Williams, Sam'l, in militia, **22**. 328.
Williams, Saml., in militia, **22**. 451.
Williams, Saml., juror, **25**. 189.
Williams, Saml., pensioner, **22**. 91.
Williams, Samuel, petition, **21**. 758, 788, 797, 905, 908, 950-951, 954, 960, 961.
Williams, Samuel, poll inspector, **18**. 230, 244.
Williams, Saml., property confiscated, **19**. 672; **24**. 263, 424.
protests against confiscation act, **13**. 991-992.
Williams, Sam., quit rents of, **22**. 244.
Williams, Sam., quit rents of, **22**. 247.
Williams, Sam., quit rents of, **22**. 258.
Williams, Samuel, regulator, **7**. 809.
Williams, Sam., sells horse, **19**. 928.
Williams, Samuel, town coms'r, **24**. 308.
Williams, Sam'l, Sr., examined by S. C., and signs association, **10**. 160, 161.
Williams, Seth, army rank, **16**. 1192.
Williams, Shadrack, in militia, **22**. 346.
Williams, Simeon, in militia, **22**. 160.
Williams, Simon, takes oath, **22**. 176.
Williams, Solomon, army pay, **17**. 257.
army rank, **16**. 1184.
Williams, Solomon, building coms'r, **23**. 927.
Williams, Solomon, exempted, **4**. 498.
Williams, Solomon, regulator, **7**. 809.
Williams, Spencer, army rank, **16**. 1187.
Williams, Stephen, a J. P., **4**. 345, 713.
asks for correction to patent, **4**. 596.
dead, **7**. 565, 566.
in assembly, **3**. 562, 579; **5**. 229, 232, 241, 242, 243, 244, 258, 273, 274, 296, 307, 526, 528, 532, 550, 690, 921; **6**. 376, 384, 386, 397, 398, 399, 427, 662, 1152, 1162, 1241; **7**. 323, 329, 342, 343, 399, 406.
juror, **4**. 520.
land grants to, **4**. 280, 595, 641.
on com. of assem., **5**. 1043.
petition on trade, **5**. 321-324.
Williams, Stephen, a J. P., **22**. 918; **23**. 995; resigns as J. P., **17**. 319-320; **20**. 31, 36.
Williams, Stephen, army rank, **16**. 1191.
Williams, Stephen, army rank, **16**. 1192.
Williams, Stephen, in militia, **22**. 310, 314.
Williams, Stephen, in militia, **22**. 343.
Williams, Stephen, in militia, **22**. 343.
Williams, Stephen, pensioner, **22**. 92.
Williams, Stephen, quit rents of, **22**. 247.
to be made lieut. col., **5**. 162.
Williams, Stephen, ship master, **9**. 44.
Williams, Stephen (Onslow), land grants to, **4**. 281.
Williams, Stephen M., prisoner, **16**. 673.
Williams, Susannah, gives power of att'y, **1**. 613.
sells, **1**. 613.
Williams, Swanson, land grant to, **19**. 573.
Williams, T., **22**. 567.
Williams, Theophilis, regulator, **8**. 79.
Williams, Theophilus, a J. P., **4**. 713.
Williams, Theo'l's, army pay, **17**. 256.
Williams, Theo., army rank, **16**. 1184.
Williams, Theophilus, army rank, **16**. 1185.
Williams, Theophilus, elected captain in Duplin, **13**. 148.
Williams, Theophilus, land grant asked, **4**. 707.
land grant to, **4**. 343, 443.
land lapses, **2**. 488.
road coms'r, **23**. 220.
Williams, Thos., a J. P., **4**. 224, 345, 354, 713.
Williams, Thos., a J. P., **23**. 993.
Williams, Thos., a J. P., **23**. 993.
Williams, Thos., allowance to, **22**. 864.
Williams, Thos., army pay, **17**. 259.
Williams, Thomas, army rank, **16**. 1180.
Williams, Thos., army rank, **16**. 1183.
Williams, Thos., army rank, **16**. 1183.
Williams, Thos., asks to have accounts as commissary settled, **12**. 157, 318, 351, 352.
in Prov. Cong., **10**. 914, 916; on com. Prov. Cong., **10**. 969, 971.
resolve in favor of, **12**. 648, 758, 760; to pay money to, **12**. 183.

Williams, Thomas, buys land, **2.** 317.
Williams, Thos., exempted, **4.** 128.
Williams, Thos., exempted, **7.** 353.
Williams, Thos., enters caveat, **6.** 1066.
Williams, Thos., holds negroes, **18.** 123.
Williams, Thos., in army, **15.** 727.
Williams, Thos., in assembly, **4.** 115, 121, 130, 388.
juror, **2.** 709.
road coms'r, **23.** 222.
Williams, Thomas, in conv. 1789, **22.** 26, 46, 49.
Williams, Thos., in militia, **22.** 270.
Williams, Thos., in militia, **22.** 367.
Williams, Thos., in militia, **22.** 496.
Williams, Thomas, juror, **4.** 521; **25.** 188.
land grants to, **4.** 615, 637, 641, 948, 953, 1047.
Williams, Thos., lapse patent to, **2.** 675.
Williams, Thos., maj. of militia, **14.** 333-334.
Williams, Thos., patroler, **10.** 451.
Williams, Thos., pensioner, **22.** 89.
Williams, Thomas, petition on separation, **22.** 705-7.
Williams, Thomas, petitions on need of money, **7.** 866-867.
Williams, Thos., quit rents of, **22.** 243.
Williams, Thos., quit rents of, **22.** 247.
Williams, Thos., sheriff, **4.** 347.
Williams, Thos., to be capt. of militia, **5.** 365.
Williams, Thos., to sign bills, **22.** 937.
Williams, Thos., volunteer, **14.** 838.
Williams, Thos., & Co., import and sell powder, **12.** 5.
Williams, Thomas, Jr., patroler, **10.** 63.
Williams, Thos. Pool, act to confirm land to, **25.** 104-5.
bill to confirm land to, **21.** 743, 754, 763, 888, 893, 897, 902, 903, 909.
in assem., **21.** 1, 3, 8, 47, 66, 68, 74, 77, 104, 109, 115, 121, 130, 133, 160, 168, 179, 189, 193, 195, 208, 209, 226, 233, 264, 292, 294, 305, 332, 345, 382, 402, 411, 431.
in conv. 1789, **22.** 36, 47, 48.
pensioner, **22.** 90.
school trustee, **25.** 18.
Williams, Thomas Sharfard, petitions on roads and ferries, **5.** 164-166.
Williams, Thos. Stafford, exempted, **8.** 313.
Williams, Toby, stolen, **10.** 693.
Williams, Tull, land grant to, **4.** 219.
Williams, Tull, quit rents of, **22.** 247.
Williams, Tully, dead, **4.** 774.
in assembly, **4.** 737.
Williams, W., army pay, **17.** 256.
Williams, W., army pay, **17.** 256.
Williams, W., deputy sec. of State, **17.** 78.
Williams, W. H., **8.** 752.
Williams, Waring, pensioner, **22.** 91.
Williams, Western, land grant to, **4.** 1034.
rights proved, **4.** 1034.
Williams, Will., executed, **4.** 530.
Williams, William (?), to furnish Indians, **5.** 1043.
Williams, Wm., **24.** 539.
Williams, Wm., a J. P., **2.** 526.
goods stolen from, **2.** 695, 696.
juror, **2.** 585.
petitions, **2.** 297.
vestryman, **2.** 209; **23.** 7.
Williams, Wm., a J. P., **4.** 330.
in assembly, **3.** 260, 275, 277, 285, 286, 290, 293, 312, 313, 317; **4.** 733, 770, 1182, 1190; **5.** 232, 241, 242, 243, 244, 246, 258, 273, 274, 296, 307, 308, 503, 514, 521, 528, 529, 532, 550, 837, 843, 852, 868, 874, 877, 896, 903, 905, 1004, 1005, 1006, 1019, 1020, 1021, 1023, 1024, 1026, 1029, 1039, 1046, 1047, 1049, 1050, 1051, 1052, 1053, 1055, 1056, 1057, 1059, 1060, 1062, 1064, 1065, 1066, 1067, 1072, 1075, 1076, 1077, 1098; **6.** 353, 359, 362, 367, 384, 386, 397, 398, 399, 428, 493, 662.
land grants to, **4.** 281, 350, 591, 595, 619, 640, 641, 642, 762, 766, 800, 803, 854, 855, 1240, 1247, 1255.
on com. of assem., **5.** 240, 523, 1043; **6.** 350, 368, 369.
petitions on roads and ferries, **6.** 164-6; on trade, **5.** 321-324.
presents petition on grievances in Granville District, **5.** lvi-lvii.
provost marshal, **3.** 15, 59.
rights proved, **4.** 642.
road coms'r, **23.** 221.
tobacco warehouse at house of, **5.** xlii.
Williams, William, account of considered, **18.** 10, 33, 264.
act to confirm lease to, **23.** 687; **25.** 507-9.
bill to confirm agreement with Tus-

caroras, **6**. 1232, 1234, 1284, 1287, 1294; **7**. 300, 304, 305, 306, 307, 339, 354, 358, 361, 368, 369, 371, 373, 420, 451.
buys Indian land, and coms'r, **24**. 172, 173.
lease by considered, **7**. 986, 990.
Tuscarora commissioner, **12**. 427, 431.
Williams, William, adjutant, **10**. 187, 517.
Williams, Wm., administrator, **1**. 607.
buys, **1**. 612.
commends Adams, **1**. 728-9.
gives power of attorney, **1**. 613.
house of, **1**. 743.
juror, **1**. 610, 611.
law suit, **1**. 608, 610.
sells, **1**. 613; cattle, **1**. 617.
swears to inventory, **1**. 610.
takes up land, **1**. 612.
Williams, Wm., allowance to, **22**. 819.
Williams, Wm., army pay, **17**. 257.
Williams, Wm., army rank, **16**. 1182.
Williams, Wm., army rank, **16**. 1185.
Williams, Wm., army rank, **16**. 1187.
Williams, Wm., army rank, **16**. 1187.
Williams, Wm., army rank, **16**. 1190,
Williams, Wm., army rank, **16**. 1192.
Williams, Wm., army rank, **16**. 1193.
Williams, Wm., buys land, **21**. 369, 370.
Williams, Wm., captain and roll of company, **10**. 753, 759-760.
Williams, Wm., claims, **3**. 282, 319.
Williams, Wm., claim allowed, **5**. 976.
Williams, Wm., clerk, **5**. 517, 518, 549.
Williams, Wm., colonel, **10**. 205, 531.
Williams, Wm., Cont. capt., **22**. 1049.
Williams, Wm., debts due by, **8**. 278-279; as sheriff, **9**. 572.
Williams, Wm., deserter, **16**. 518.
Williams, Wm., dropped as J. P., **6**. 1013.
Williams, Wm., ensign, **10**. 963.
Williams, Wm., gives land for L. H., **21**. 940; **25**. 65.
Williams, Wm., gun impressed, **22**. 414.
Williams, Wm., in army, **13**. 510.
Williams, Wm., in army, **15**. 724.
Williams, Wm., in army, **15**. 732.
Williams, Wm., in assembly, **12**. 2, 3, 53, 80, 90, 125.
in Prov. Cong., **10**. 165, 167, 173, 501, 502, 523, 914, 915, 930.
on com. of assem., **12**. 11, 16, 50, 136, 147.
on com. of Prov. Cong., **10**. 168, 507, 527, 942.
Williams, Wm., in assembly, **21**. 2, 3, 8, 47, 52, 66, 74, 77, 109, 115, 130, 168, 179, 189, 194, 196, 199, 264, 294, 305, 332, 346, 372, 379, 382, 387, 402, 432, 584, 588, 634.
in conv. 1789, **22**. 37, 47, 48.
Williams, William, in assembly, **25**. 259.
Williams, Wm., in militia, **17**. 1054.
Williams, William, in militia, **22**. 160.
Williams, Wm., in militia, **22**. 283.
Williams, Wm., in militia, **22**. 310.
Williams, Wm., in militia, **22**. 322.
Williams, Wm., in militia, **22**. 343.
Williams, Wm., in militia, **22**. 343.
Williams, Wm., in militia, **22**. 347.
Williams, Wm., in militia, **22**. 367.
Williams, Wm., in militia, **22**. 371.
Williams, Wm., in militia, **22**. 379.
Williams, Wm., in militia, **22**. 391.
Williams, Wm., in militia, **22**. 394.
Williams, Wm., in militia, **22**. 415.
Williams, Wm., in militia, **22**. 494.
Williams, Wm., indicted, **2**. 275.
Williams, Wm., juror, **4**. 523.
Williams, Wm., juror, **25**. 188.
Williams, Wm., juror, **25**. 189.
Williams, Wm., land case of, **5**. 1091.
Williams, Wm., lieut., **10**. 621.
Williams, Wm., lieutenant, **16**. 604.
Williams, Wm., major, **10**. 207.
Williams, Wm., militia captain, **22**. 160.
Williams, Wm., misrepresents Burke, **16**. 215, 251-255, 273.
Williams, Wm., on claims com., **22**. 818, 823.
reports on conspiracy, **11**. 510.
reports on troops in Moore's brigade, **10**. 858-859.
resigns as colonel, **13**. 393; as colonel of militia, **12**. 600, 707, 708.
to Caswell on his assignment, **14**. 285-286; on organization of Bertie troops, **13**. 160-161.
to return troops home, **10**. 472-473.
to send ammunition to Tarboro, **10**. 543.
Williams, Wm., officer, **18**. 486.
Williams, Wm., patroler, **10**. 63.
Williams, Wm., pay to, **22**. 485.
Williams, Wm., payment to widow, **20**. 584.
petition of wife, **20**. 419, 466, 468.
Williams, Wm., pensioner, **22**. 91.
Williams, Wm., petition of, **22**. 929.

Williams, Wm., petition of executors, **21**. 285, 288, 637, 711-712, 715.
Williams, Wm., protests against regulators, **8**. 273-274.
Williams, Wm., quit rents of, **22**. 245.
Williams, Wm., recruiting officer, **22**. 928.
Williams, Wm., takes oath, **22**. 173.
Williams, Wm., to Nash on his transfer to corps of invalids, **15**. 12-13.
to raise corps of invalids, **15**. 205-206.
Williams, Wm., to sign bills of credit, **10**. 534, 574.
Williams, Wm., tobacco inspection at place of, **23**. 411.
Williams, Wm., town coms'r, **23**. 755.
Williams, Wm., town coms'r, **24**. 773.
Williams, Wm., wagoner, **15**. 478.
Williams, Wm., witness, **18**. 252.
Williams, Wm., Jr., resurvey to, **6**. 1079.
Williams, Wm., Sr., juror, **4**. 519.
Williams, Wm. B., army rank, **16**. 1180.
Williams, Wm. Evans, on confiscation act, **15**. 203-205.
Williams, Wm. King, commissioner to settle for salt, **12**. 763.
Williams, Willis, commands the Caswell, **13**. iv.
Williams, Willis, in militia, **22**. 328.
Williams, Willis, in militia, **22**. 347.
Williams, Willis, petitions on outlaws, **11**. 731-732.
Williams, Willoughby, act for him to collect tax, **25**. 111-12.
bill for him to collect tax, **21**. 801, 912, 915, 944, 948, 963.
in assembly, **21**. 871, 873, 933, 937, 941, 999, 1003, 1006, 1012, 1015, 1032.
witness, **18**. 252.
Williams, Wilson, forced to swear to ass'n, **10**. 125.
Williams, Zadock, army rank, **15**. 732; **16**. 1185.
Williams, Zebedee, army rank, **15**. 726; **16**. 1187.
Williams, Zebulon, a J. P., **23**. 993.
Williams and Fulford, bring iron from Va., **15**. 345.
Williams's, **2**. 617.
Williams's, Mrs., **15**. 380.
Williams's, Col., **19**. 869.
Williams's Creek, **6**. 1087.
Williams's House, **15**. 274.
British militia at threatened, **15**. 305.
Williams's Landing (Arthur), quit rents paid at, **25**. 217.
Williams's Landing (Sam), quit rents paid at, **25**. 217.
Williams's Orchard, **2**. 808.
Williamsboro (Williamsborough), **15**. 422, 545, 550, 563, 564, 565, 595, 596, 608, 624, 648, 663, 664; **16**. 222, 496, 688, 689, 690; **19**. 855, 883, 884; **22**. 555, 577, 583; **25**. 2; **26**. 1271, 1272, 1285 (?)
act to establish, **24**. 878-80.
artificers for, **22**. 561.
Williamsborough Township, S. C., **14**. 617.
grievances in, **11**. 45, 54.
Williamsburg, Va., **1**. 968, 969; **2**. 329, 397, 580, 734, 737, 738, 746, 787, 829; **5**. v, xxii, 128, 144*d*, 172, 396; **6**. 211; **8**. 53, 54, 593; **9**. 1235, 1248; **10**. xi, 341, 346, 364, 671, 729, 736; **11**. 43, 186, 241, 270, 273, 274, 282, 287, 295, 320, 338, 402, 405, 428, 438, 446, 451, 459, 479, 516, 580, 594, 600, 635, 666, 667, 676, 784, 835; **13**. 32, 40, 51, 128, 244, 287, 289, 296, 388, 398, 401, 464, 490; **14**. 19, 61, 65, 122, 123, 126, 136, 220, 243, 308, 571, 672, 688, 723; **15**. 366, 641, 695; **16**. 236, 298, 332; **17**. 272, 544; **22**. 34, 542, 867, 969.
admiralty court held in, **13**. 177.
battle near reported, **15**. 553.
boundary coms'nrs to meet at, **1**. 735, 736, 737, 738.
British in, **15**. 502; **22**. 536; leave, **15**. 508, 515, 522, 542.
Cornwallis in, **22**. 1029, 1032.
French prisoners to be sent to, **5**. 126; soldiers in, **13**. 129.
LaFayette in, **15**. 518; **22**. 586.
land office in, **14**. 268.
messenger sent to for books, **1**. 570.
offered as site for Federal Capital, **16**. 843-4, 909-10.
post from considered, **6**. 1057-1059; **7**. 149.
Williamson, Mr., **14**. 843.
Williamson, Mr., secretary at Council, **1**. 222, 233.
on Bd. T. and F. P., **1**. 223.
Williamson, Col., takes security, **14**. 197.
Williamson, Col., takes Br. protection, **14**. 864.

Williamson, Adam, army rank, **16.** 1191.
Williamson, Alex., pensioner, **22.** 89.
Williamson, Gen. Andrew, **14.** 53, 78, 119, 293.
and Briar Creek battle, **14.** 276, 284.
attacked by tories, **15.** 178.
Christian to on Cherokee expedition, **10.** 748-9, 751.
commands S. C. troops in Cherokee expedition, **10.** xv, 713, 758, 787, 789, 860, 861, 882, 883; **11.** xvi, 319, 320, 343, 346, 349, 350, 354, 355-356.
complains of Stuart's letter, **10.** 783.
defends Ninety Six, **10.** 340.
instructions for Cherokee expedition, **10.** 658.
location, **13.** xii, xiii.
marches against Cherokees, **10.** 651, 657.
militia of leaves Ga., **14.** v.
movements, **15.** 368.
number of troops under, **14.** 263.
orders to, **14.** 805.
peace coms'r with Cherokees, **11.** 417.
submits to Br., **15.** 251.
to Rutherford on Cherokee expedition, **10.** 745-748.
troops under go home, **14.** 312, 324, 325.
Williamson, Anth'y, army pay, **17.** 260.
Williamson, B., in assembly, **16.** 49.
Williamson, Benj., navigation coms'r, **25.** 107.
nom. for C. of S., **21.** 779, 935.
Williamson, Chas., army rank, **13.** 513; **16.** 1183.
pensioner, **22.** 91.
Williamson, Chas., in militia, **22.** 340.
Williamson, Charles, land grant to, **4.** 280, 596, 764.
rights proved, **4.** 595.
Williamson, Charles, tried for murder, **2.** 463, 466-467.
Williamson, Constance, **4.** 149.
asks pay for executed slaves, **4.** 123-4.
Williamson, Constanie, petition, **2.** 353.
Williamson, Elijah, pensioner, **22.** 90.
Williamson, Mrs. Elizabeth, payment to, **20.** 584; **21.** 169.
Williamson, Francis, church trustee, **9.** 638; **23.** 960.
in assembly, **9.** 388, 409, 430, 447, 457, 472, 473, 503, 522, 531, 550, 551, 558, 565, 587, 726, 734, 735, 777, 851, 857, 863, 869, 888, 902, 910, 919, 930, 939, 950, 952, 1188.
in Prov. Cong., **9.** 1178.
on com. of assem., **9.** 381, 451.
property confiscated, **19.** 672; **24.** 264, 424.
Williamson, George, army pay, **17.** 259.
army rank, **15.** 721; **16.** 1184.
soldier, **18.** 797.
Williamson, Henry, army rank, **16.** 1180.
Williamson, Henry, deserter, **11.** 795.
Williamson, Henry, in army, **15.** 730.
Williamson, Henry, on S. C. of Pitt, **10.** 38, 62, 243.
patroler, **10.** 64, 451.
Williamson, Hugh, **14.** 468, 686; **16.** 732, 778, 939; **18.** iii, 642, 707; **19.** 938; **21.** 558.
agent for settlement of public accounts, **21.** 511, 538, 571.
and Federal Capital, **16.** 908.
and Fed. Conv., **20.** 630.
arrives at so. army, **15.** 11.
attacks regulators, **7.** xiv.
blunders on quarrel over representation, **4.** xix-xx.
Caswell to appointing him to Fed. Conv., and answer, **20.** 637, 643-4, 674.
coms'r of school, **24.** 454, 751, 867; of trade, &c., **18.** 650, 658, 659, 660, 661, 681, 682, 683, 692, 772; to settle U. S. and N. C. accts., **20.** 557, 580, 595, 596; **21.** 263, 265, 313, 348, 349, 354, 356, 620, 621, 669, 670, 685.
criticized, **21.** 574-5.
gets hold of Hutchinson letters, **15.** 172.
History cited, **5.** xxx, xxxi; reprints from, **1.** 986-990, 990-992; **8.** 608.
in assembly, **16.** 2, 21, 22, 26, 27, 67, 80, 81, 120, 127, 152, 156, 165, 173; **17.** 264, 266, 268, 269, 276, 279, 280, 284, 285, 287, 291, 293, 299, 304, 314, 316, 330, 333, 334, 340, 354; **17.** 358, 359, 361, 363, 364, 365, 366, 381, 387, 391, 394, 395, 400, 406, 412, 425; **19.** 6, 20, 29, 34, 35, 74, 87, 394; **20.** 4, 6, 7, 14, 19, 21, 23, 34, 35, 38, 55, 70, 94.
in C. C., **16.** 90, 95, 173, 959; **17.**

139; **19**. 57, 59, 136, 152, 245, 269, 508, 509; **20**. 230, 244, 423, 430; **21**. 480, 494; **22**. 795.
in conv. 1789, **22**. 39, 41, 42, 47, 48.
in Fed. Convention of 1787, **18**. iii, 462; **20**. iii, 129, 666, 710, 764.
letter ment'd, **21**. 13; on accts., **21**. 763, 812, 856, 913, 915, 979, 1036.
Martin to on exchange of prisoners, **16**. 338; on new officers, peace, &c., **16**. 783; on public affairs, **17**. 49; on trade and lands, **16**. 919-20; on trade and public affairs, **16**. 729-730.
nom. as agent to settle accounts with U. S., **21**. 117, 150, 160.
on church acts, **1**. xxvi.
on com. of Assembly, **16**. 5, 21, 23, 43, 44, 53, 54, 60, 61, 78, 113, 114, 130, 138; **17**. 268, 269, 276, 277, 278, 279, 284, 287, 288, 291, 316, 320, 337, 340, 357, 358, 367, 376, 401, 408.
quoted, **1**. xiii; **5**. vii; **21**. iii-iv.
report on wounded militia, **14**. 437; at Camden, **17**. 647, 655, 730, 736.
resigns as agent to settle accounts, **21**. 850, 851, 1026.
seeks for N. C. records, **1**. iv.
surgeon gen. of N. C. militia, **14**. 452.
submits expense account as delegate to C. C., **17**. 379.
thanked, **19**. 216, 250-251, 254, 349, 351, 641, 642.
time in C. C. out, **17**. 466.
to attend C. C., **21**. 465.
to Benbury on wounded and prisoners at Camden, **15**. 166-170; **22**. 530-32.
to Burke on purchase of medicines, **15**. 643; on surgeons for troops, **15**. 507-508.
to Caswell on Fed. Conv., and answer, **20**. 723-724, 729, 733, 765-766, 777-779; on public affairs, **17**. 434-435, 473, 477; on public affairs of C. C., &c., **18**. 772-773; on trade, **18**. 655.
to England on smallpox among N. C. prisoners, and answer, **15**. 62.
to Hay on condition of hospital at Camden, **15**. 61-62.
to Iredell on work of assembly, **16**. 613.
to Johnston on commerce with French W. I., **21**. 541-542; on agency for settling accounts, and answers, **21**. 519, 526, 533-4, 538-539, 552-553, 560-61; on public affairs, and answers, **21**. 474-5, 476, 477, 485-486, 495-6, 497-8, 500-1, 533-4.
to Martin on conditions in western country, **16**. 459-460; on Continental money, **16**. 446-448; on derangement of officers, **16**. 455-457; on French alliance, &c., **16**. 398; on Fed. cts., State debts and pub. accts, **22**. 792-4; on Indian expeditions, **16**. 410; on Lawrence, **16**. 881-2; on location of Federal Capital, **16**. 908-910; on mutiny, **16**. 852-855; on N. C. address on birth of Dauphin, **16**. 731-732; on N. C.'s part in war, **16**. 388, 398; on peace and trade, **16**. 864-866; on post route to the south, **16**. 736-7; on prisoners and separate peace, **16**. 863; on public affairs, and answer, **17**. 21-28, 32, 63-65, 78-80, 80-83, 90-1, 92-3, 94-105, 111, 112, 273; on public debts and peace, **16**. 753-760; on seizure of Spicer's flag, **16**. 823-826; on State debts and pub. accounts, **22**. 795-8 (3 letters); on taxes, lands and war expenses, **16**. 406-407; on taxes, loans, lands, supplies and peace, **16**. 434-41; on treaty, trade, money, duties and lands, **16**. 882-889; on treaty and trade, **16**. 900-906.
to Sumner on promotion in N. C. line, **16**. 630-631.
trustee Univ., **25**. 22.
warrant not honored, **16**. 900.
Williamson, Issac, Sr., pensioner, **22**. 90.
Williamson, Jacob, army rank, **16**. 1188.
Williamson, James, asks relief from church tax, **9**. 95-96.
Williamson, James, in militia, **22**. 163.
Williamson, James, juror, **2**. 266, 398, 433, 442, 463, 553, 596.
sells servant, **2**. 392.
Williamson, James, nom. for C. of S., **21**. 779, 935.
Williamson, James, petition, **19**. 152, 175.
Williamson, James, petition on who are tithables, **9**. 97.
Williamson, James, takes oath, **22**. 177.

Williamson, Jeremiah, capt. of light horse, **13**. 734*f*.
Williamson, Job, army pay, **17**. 258.
Williamson, Jno., army rank, **16**. 1183.
Williamson, Jno., in militia, **17**. 1042.
Williamson, Jno., in militia, **22**. 264.
Williamson, John, land grant to, **4**. 616, 679.
Williamson, John, quit rents of, **22**. 244.
Williamson, Joseph, a J. P., **23**. 993; resigns as J. P., **18**. 19, 24.
Williamson, Joseph, pay to, **22**. 489.
Williamson, Joseph, Willoughby to on Barbadoes affairs, **1**. 158-9.
Williamson, Lewellin, circulates counterfeits, **10**. 681.
Williamson, Lewis, arrested for counterfeiting, **10**. 689.
Williamson, Lewis, debts due by, **8**. 280-281; as sheriff, **9**. 572.
not to deliver books of Warwick & Co., **10**. 697.
to deliver account books, **10**. 291.
Williamson, Martha, allowance to as executor, **22**. 857.
Williamson, Mary, asks for patent, **2**. 308.
Williamson, Matthew, in militia, **22**. 391.
Williamson, Richard, a J. P., **2**. 645.
Williamson, Richd., in militia, **22**. 264.
Williamson, Rich., in militia, **22**. 267.
Williamson, Rich'd, in militia, **22**. 338.
Williamson, Rich'd, in militia, **22**. 342.
Williamson, Rich., juror, **25**. 190.
Williamson, Richard, vestryman, **25**. 208.
Williamson, Robt., army rank, **16**. 1183.
Williamson, Robert, patroler, **10**. 451.
Williamson, Robinson, army pay, **17**. 256.
Williamson, Stephen, receives clothing, **16**. 619.
recruiting officer, **22**. 928.
Williamson, Thos., **10**. 295.
Williamson, Thos., asks for lapse patent, **2**. 454.
dismissed by court, **2**. 513-514.
examination of not returned to court, **2**. 549.
Williamson, Thos., does not take oath, **22**. 173.
Williamson, Vincent P., petition, **21**. 285, 288, 405, 637, 711-712, 715.
Williamson, Wm., a J. P., **5**. 657.
land grant to, **4**. 348, 635, 704, 764, 970.
Williamson, Wm., allowance to executors, **22**. 857.
Williamson, Wm., army pay, **17**. 256.
Williamson, Wm., army rank, **16**. 1181.
Williamson, Wm., army rank, **16**. 1182.
Williamson, Wm., army rank, **16**. 1191.
Williamson, Wm., asks for lapse patent, **2**. 330.
Williamson, Wm., in army, **13**. 525.
Williamson, Wm., in militia, **22**. 391.
Williamson, Wm., juror, **4**. 520.
Williamson, Wm., navigation coms'r, **24**. 218.
Williamson, Wm., pensioner, **22**. 91.
Williamson, Wm., petition for division of Orange Co., **9**. 809-810.
Williamson, Wm., quit rents of, **22**. 243.
Williamson, Wm., to Caswell on Br. flag of truce and manifesto, **13**. 296-7; on their efforts to leave N. C., **11**. 646-7.
Williamson, Wm., voter, **15**. 237.
Williamson, Zachariah, land grant to, **4**. 616.
Williamson, Zack, prisoner, **15**. 169; **22**. 523.
Williamson and Bachop, payment to, **21**. 365, 690, 692.
Williamson Co., Tenn., **22**. 144.
Williamson's, **14**. 279.
Williamson's, Gen., **22**. 190.
fort surrendered, **22**. 190.
Williamston, Lewis, a J. P., **23**. 995.
Williamston, act to create, **24**. 307-9.
Willie's Quarter, **15**. 538.
Williford, Archd., army rank, **16**. 1192.
Williford, Jane, imported, **1**. 618.
Williford, Jas., army rank, **16**. 1192.
Williford, John, imported, **1**. 618.
Williford, Richard, juror, **4**. 522.
Williford, Sarah, imported, **1**. 618.
Williford, Theo., army rank, **16**. 1190.
Williford, Wm., imported, **1**. 618.
Williford, Wm., indicted, **2**. 686, 697-8, 707-8.
Williford, Wm., land grant to, **4**. 764.
quit rents of, **22**. 243.
Williford, Willis, army rank, **16**. 1188.
Willing, Thos., Jr., in Cont. Cong., **9**. 1246.
Willing Maid, sloop, to carry staves to W. I., **10**. 969.

Willingham, John, claims allowed, **8.** 468; **9.** 717, 756.
Willingham, John, in militia, **22.** 167.
Willingham, Thos., asks relief from church tax, **9.** 95-6.
Willingham, Thos., in militia, **22.** 163.
Willingham, Thos., recommended, **22.** 368.
Willis, Mr. 19. 902.
Willis, Mr., helps arrest Dunn, **10.** 676.
Willis, Capt., allowed to leave N. C., **22.** 922.
Willis, Col., 12. 470.
field officer, **12.** 512, 539.
on court martial, **12.** 543.
position of regt. in army, **12.** 509.
Willis, Agerton, act to free slave of, **24.** 929-30.
administration on estate of discussed, **11.** 780.
land grant to, **4.** 1248.
Willis, Agerton, in assembly, **13.** 914, 915, 925, 975, 980, 984, 988, 990, 1000; **18.** 226, 228, 257, 258, 297, 311, 312, 317, 344, 345, 346, 350, 351, 357, 360, 361, 362, 376, 389, 412, 429, 440, 443, 449, 459, 462, 469, 470, 471, 478; **19.** 385; on com. of assem., **13.** 915; **18.** 8, 44, 47, 235, 274, 277.
bill to free slave of, **20.** 168, 178, 192, 195, 343.
protests against confiscation act, **13.** 991-992.
Willis, Augustine, army pay, **17.** 256.
army rank, **16.** 1182.
Willis, Benj., administration by revoked, **5.** 995; **6.** 80.
Willis, Benjamin, army pay, **17.** 258.
Willis, Daniel, Sr., to Caswell on administration, **11.** 780.
Willis, Edward, 7. 456.
Willis, Geo., army rank, **16.** 1181.
Willis, George, in army, **13.** 518.
Willis, George, in army, **13.** 527.
Willis, Hardy, petition, **19.** 733.
Willis, Jas., in militia, **22.** 320.
Willis, Jas., in militia, **22.** 321.
Willis, James, land grant to, **4.** 853, 893.
Willis (Wills), John, 19. 248, 268.
Willis, John, act to establish town on lands of, **24.** 992.
boundary coms'r, **24.** 989.
court to be held at house of, and building coms'r, **24.** 839.
in assembly, **16.** 2, 49, 69; **19.** 394; **20.** 249, 277, 284, 328, 340, 343, 348, 359, 370, 372, 378, 380, 390, 400, 416, 426, 427, 431, 434, 437, 455, 462, 465, 467, 473, 476, 477, 479, 495, 510, 519, 520, 523, 525, 526, 527, 530, 536, 543, 546, 547, 550, 554, 567, 587; **21.** 7, 203, 207, 268, 286, 298, 577, 580, 581, 598, 602, 611, 617, 619, 624, 632, 641, 653, 654, 667, 671, 678, 679, 680, 694, 697.
in conv. 1788 and 89, **22.** 3, 5, 7, 25, 27, 29, 35, 38, 47, 48.
nom. for col., **20.** 261, 442.
petition, **19.** 514, 517, 527; **20.** 202, 215, 259, 292, 293, 380-381, 382, 392, 396, 401, 402, 439, 472; **21.** 770, 771, 773, 782, 785, 827, 920, 921, 927, 932, 945, 947, 948, 984-985, 998, 1034, 1042; on elections, **17.** 285, 374-375.
Willis, John, army pay, **17.** 256.
Willis, John, land grant to, **9.** 1136.
Willis, John, law suit, **1.** 576.
Willis, Joseph, 11. 780.
Willis, Joseph, act to emancipate, **24.** 929-30.
bill to free, &c., **20.** 168, 178, 192, 195, 300, 343.
Willis, Joseph, pensioner, **22.** 92.
Willis, Mesback, in militia, **22.** 162.
Willis, Peter, in militia, **17.** 1042.
Willis, Rich., in militia, **22.** 310.
Willis, Robert, petition for considered, **10.** 551.
Willis, Robert, rum to, **22.** 444.
Willis, Saml., in assem., **19.** 384.
Willis, Sam'l, in militia, **22.** 387.
Willis, Samuel, land grant to, **4.** 891.
Willis, Samuel, nom. as judge of admiralty, **12.** 784, 786, 790, 841, 842, 851.
Willis, Solomon, army pay, **17.** 258.
Willis, Taylor, army pay, **17.** 259.
Willis, Thomas, deposition against Miller, **1.** 315, 316.
plots against Miller, **1.** 289-290.
Willis, Wm., a J. P., **3.** 252, 537.
address to King, **3.** 134-135.
juror, **4.** 149.
Willis, Wm., in militia, **22.** 377.
Willis, Wm., reward for arrest of, **6.** 1139, 1209, 1212, 1214.
Willis, Willis, Caswell to on affairs of the Caswell, **13.** 311-312.
Willis Church, 5. 1213.
Willison. See Wilson.

Willison, ——, affair of discussed, **15**. 671.
case of, **19**. 890-891.
Willison, John, land grant to, **4**. 851.
Williss, Hope, in militia, **22**. 280.
Willis's Creek, **25**. 38.
Williston, Jno., in militia, **22**. 263, 266, 267.
Willistons, Thos., in militia, **22**. 264, 267.
Willits, Samuel, gives bond and parole enlarged, **10**. 969.
paroled to New Hanover, **10**. 627-628.
Willkey, Frances, petitions on land grants, **9**. 1260-1263; **11**. 250-254.
Willkings. See Wilkins.
Willkings, Wm., witness, **5**. 120.
Willnianwah, medal to, **7**. 209.
Willoby. See Willoughby.
Willoby, Harris, sells land, **2**. 86.
Willoby, Mary, sells land, **2**. 86.
Willoby, Lord. See Francis Lord Willoughby.
Willoockson (Willcockson?), George, a J. P., **22**. 719.
Willots, John, petition on C. H., **9**. 806-807.
Willoughby, Edlyne, pensioner, **22**. 91.
Willoughby, Francis, Lord, **1**. 47.
Albemarle to on Barbadoes settlers, **1**. 47-8.
governor of Barbadoes, **1**. 116, 158.
powers delegated, **1**. 150; questioned, **1**. 151.
proceedings, **1**. 176-177.
to Joseph Williamson on Barbadoes affairs, **1**. 158-159.
Willoughby, Geo., leader in R., **1**. 276, 277.
Willoughby, Henry, governor of Barbadoes, &c., **1**. 116, 147-8, 176-7.
Willoughby, Jas., army rank, **16**. 1189.
Willoughby (Willouby), John, agent of Albemarle in Eng., **1**. 274.
appraiser, **1**. 625.
bond of, **1**. 265.
deputy to Shaftesbury, **1**. 180, 320.
fails to keep promises, **1**. 321.
in assem., **1**. 282.
juror, **1**. 388, 446, 589, 590, 610, 611, 623.
lapse patent asked, **2**. 502.
leader in Culpepper R., **1**. 258, 259, 266, 279, 297, 300.
letter of Biggs to, **1**. 320-321.
on council, **1**. 254.
proves account, **1**. 623.
sells land, **1**. 568.
signs land grant, **1**. 271.
Willoughby, Jno., army rank, **16**. 1189.
Willoughby, William, account of proceedings in Barbadoes, **1**. 176-177.
dep. gov. of Barbadoes, **1**. 151, 157.
gifts to, **1**. 397.
governor of Barbadoes, &c., **1**. 116.
on B. council, **1**. 157.
on Barbadoes trade, **1**. 149-150.
Willoway, Thos., land lapses, **2**. 425.
Willowby, an Indian, owns Indian slave, **2**. 379.
Willowby, Horace, land lapses, **2**. 502.
Willowby, Jno., army rank, **16**. 1186.
Wills. See Willes.
Wills, Mr., clothing delivered to, **14**. 310.
to take clothes to officers, **15**. 742.
Wills, Col., letter quoted, **22**. 586.
opposes Br., **15**. 571.
Wills, Henry, petitions for Windsor as C. H., **9**. 804-805.
Wills, Jas., in militia, **22**. 328.
Wills, John, on Tryon's Cherokee expdn., **7**. xiii, 991, 994, 996, 1001.
Wills, Rev. John, **7**. 789; **8**. 13, 20, 45.
com. on petition of, **10**. 976.
location, **7**. 457; **8**. 221, 222.
to be inducted into St. James Parish, **8**. 174, 199.
Tryon on, **7**. 456; to Dr. Burton on, **7**. 786; to St. James's Parish on induction of, **8**. 219-20.
Wills, Wm., juror, **25**. 190.
Wills and Hodge, memorial on laws, &c., **20**. 505, 506, 507, 513, 520, 522, 529, 594; **21**. 46, 60, 72-73, 76, 183.
nom. for public printers, **21**. 223, 244, 591, 604; **21**. 773, 777, 927, 934.
printers, **22**. 51.
Wills, **22**. 287-304.
abstract of to be made to secretary, **6**. 1076; to be sent to auditor general, **25**. 306.
act for evidence from disallowed, **6**. 701-702, 707, 733; **23**. 566-7, 690-1; **25**. 161; on proving, **23**. 67-70, 108, 333, 334, 886-7, 933-4; **24**. 65-6, 577-8; **25**. 26-7, 407, 434; to admit copies of as evidence, **23**. 549; **25**. 306, 463-4; to prevent frauds in execution of, **24**. 572-7, 669-71, 902; **25**. 56.
bill for probate of, **4**. 514; on, **20**. 184, 189-190, 195-196, 201, 300, 352,

363, 367, 505; **21**. 215, 225, 235, 254, 265, 277, 280, 322, 333, 395-396, 411-412, 596, 618, 658, 622, 674, 717, 720; on proving, **12**. 148; **17**. 347, 350, 352, 395, 401; **18**. 120, 341; **20**. 65, 94; to admit as evidence, **6**. 654, 655, 656, 657, 658, 660, 691-692, 694, 749; to amend act on, **6**. 452, 456, 480, 484, 491; to amend act on frauds in, **19**. 434, 459, 475, 764, 770, 804, 821-822; to prevent fraud in, &c., **19**. 555, 581, 589, 604, 607, 617, 652, 658, 705; to regulate, **17**. 328.
control of, **7**. 475, 478, 480.
Eng. act on in force in N. C., **23**. 322.
not delivered to executors, **5**. 299.
notes on acts on, **3**. 187, 193.
of Dobbs, **22**. 300-1.
of Johnston, **22**. 287-90.
of Pollock, **22**. 290-7.
of Rowan, **22**. 297-300.
recording of should be regulated, **5**. 548.
should be proved, **5**. 299.
Wills' (Willis) Creek, **5**. xv, xxii, 400, 402, 407; **11**. 122.
fort at, **5**. 144*g*.
troops to go to, **5**. 927.
rendezvous at, **5**. 133, 135, 174, 366, 367.
Wills Quarter, **2**. 540.
Will's Quarter Bridge, **23**. 215.
Willson. See Wilson, Willison.
Willson, ——, land granted to heirs, **2**. 352.
Willson, ——, prisoner, **15**. 170.
Willson, Andrew, appraiser, **2**. 103.
Willson, Andrew, taxable, **15**. 192.
Willson, Ann, asks for lapse patent, **2**. 352.
Willson, Ann, Jr., proves deed of sale, **1**. 551.
Willson, Ann, Sr., sells land, **1**. 551.
Willson, Ben., in militia, **22**. 349.
Willson, Daniel, in militia, **22**. 415.
Willson, Daniel, land lapses, **2**. 486.
Willson, David, building coms'r, **24**. 827.
Willson, Edward, ment'd, **1**. 525.
Willson, Eliza, accuses Jordan of theft, **2**. 87.
Willson, Geo., gun impressed, **22**. 414.
Willson (Willsons), Isaac, a justice, **1**. 522, 524, 525, 532-534, 548-550, 613, 617, 619.
appraiser, **1**. 550.
land lapses, **1**. 864.
law suits, **2**. 83, 84-5, 99, 100, 101, 113.
proves power of att'y, **1**. 549.
Willson, James, petitions for division of Orange Co., **9**. 809-810.
Willson, John, asks for new county, **9**. 90.
Willson, Jno., in militia, **22**. 396.
Willson, John, land grant to, **4**. 960.
Willson, John, petition, **1**. 305-6.
Willson, Joseph, petition on separation, **22**. 705-8.
Willson, Nathan, in militia, **22**. 349.
Willson, Richard, juror, **2**. 366, 435, 436, 437, 464, 477, 597, 667, 668; **3**. 53; **25**. 185.
Willson, Richard, land grant to, **9**. 1145.
Willson, Robert, discharged, **22**. 438.
Willson, Robert, enters caveat, **2**. 521.
Willson, Robert, pauper, **1**. 544.
Willson, Samuel, **2**. 436.
deed to forged, **2**. 445, 471.
Willson, Samuel, in militia, **22**. 281.
Willson, Thomas, asks pardon for Hamilton, **9**. 39.
Willson, Thomas, asks pardon for Hamilton, **9**. 84-85.
Willson, Thomas, asks pardon for Hunter, **9**. 86.
Willson, Thomas, asks pardon for Hunter, **9**. 86-7.
Willson, Thomas, asks pardon for Welborn, **9**. 26-7.
Willson, Thomas, petition on C. H., **9**. 806-807.
Willson, Thomas, petitions for division of Orange Co., **9**. 809-810.
Willson, Thos., lapse patent to, **2**. 563.
Willson, Will., a J. P., **2**. 526.
Willson (Wilson), Wm., a J. P., **2**. 526, 572, 608, 638.
asks for lapse patent, **2**. 330, 496.
claims, **3**. 281, 318.
executor, **2**. 711-712, 716.
in assembly, **3**. 260, 275, 278, 285, 286, 293, 312.
juror, **2**. 364, 433, 463, 686, 712.
land lapses, **2**. 487.
law suits, **2**. 84, 87-9, 90.
lawyer, **2**. 96.
prosecuted for trading with slaves, **2**. 96.
Willson, Wm., army rank, **16**. 1183.

Willson, Wm., buys at Martin sale, **22**. 883, 884, 885, 888.
Willson, Wm., in militia, **22**. 348.
Willson, Wm., juror, **25**. 186.
Willson, Wm., petitions on land grants, **9**. 1260-1263; **11**. 250-253.
Willson, Wm., to assembly on use of militia, **13**. 389-390.
Willson, Willis, **2**. 751.
Willson's Old Field, **24**. 819.
Wilminculber, Thos., in militia, **22**. 164.
Wilmington, Baron of. See Compton, Spence.
Wilmington, Lord President, **4**. 918, 935.
Wilmington, **3**. xviii; **4**. v, vii, xix, 418, 584, 603, 605, 606, 607, 610, 611, 624, 665, 723, 791, 795, 861, 869, 870, 880, 971, 986, 1087, 1088, 1093, 1094, 1118, 1136, 1140, 1150, 1152, 1153, 1156, 1157, 1163, 1164, 1171, 1172, 1173, 1175, 1177, 1178, 1180, 1187, 1189, 1190, 1191, 1192, 1193, 1196, 1197, 1198, 1207, 1212, 1216, 1218, 1219, 1222, 1228, 1230, 1232, 1233, 1266, 1289; **5**. x, xviii, xxvi, 18, 33, 35, 89, 90, 118, 119, 120, 121, 146, 158, 160, 164, 342, 348, 437, 687, 736, 737, 754, 797, 949, 1039, 1083, 1150, 1196, 1199, 1209, 1210; **6**. xii, xxvi, xxxii, xxxv, 25, 58, 59, 60, 61, 82, 157, 181, 209, 210, 211, 212, 213, 214, 264, 266, 267, 272, 277, 319, 328, 488, 505, 520, 562, 581, 604, 608, 629, 638, 644, 647, 650, 651, 652, 659, 660, 661, 680, 683, 693, 711, 712, 717, 729, 739, 740, 771, 815, 822, 826, 827, 853, 854, 859, 879, 917, 929, 950, 964, 999, 1000, 1008, 1012, 1014, 1018, 1020, 1039, 1041, 1047, 1053, 1054, 1055, 1057, 1060, 1066, 1067, 1070, 1080, 1116, 1123, 1126, 1136, 1137, 1139, 1146, 1187, 1195, 1198, 1206, 1208, 1209, 1214, 1232, 1239, 1257, 1258, 1285, 1286, 1295, 1320; **7**. 2, 3, 5, 9, 11, 41, 58, 61, 85, 94, 103, 104, 123, 134, 135, 144, 158, 159, 160, 162, 169, 172, 177, 185, 199, 200, 223, 246, 253, 259, 261, 419, 426, 427, 432, 434, 438, 448, 452, 454, 455, 456, 529, 615, 654, 658, 717, 719, 720, 731, 789, 831, 872, 873, 884, 988, 1002; **8**. v, xxii, xxviii, 31, 38, 40, 51, 142, 199, 548, 636, 676, 699, 700, 701, 703, 718; **9**. xxxi, xxxix, 53, 110, 120, 144, 152, 154, 196, 302, 440, 567, 610, 611, 612, 614, 648, 724, 771, 778, 819, 958, 1016, 1017, 1055, 1088, 1089, 1090, 1091, 1152, 1237, 1285; **10**. xv, xxvii, xxix, xxx, 26, 30, 38, 48, 69, 73, 91, 97, 121, 130, 131, 132, 142, 170, 171, 181, 273, 288, 290, 321, 353, 354, 371, 393, 394, 395, 410, 420, 444, 465, 482, 490, 491, 519, 617, 618, 619, 631, 637, 642, 643, 646, 663, 667, facing 680, 697, 705, 707, 722, 743, 750, 786, 802, 803, 875, 972, 984; **11**. xi, xii, xiii, xviii, 72, 73, 255, 269, 283, 286, 297, 303, 338, 339, 372, 394, 399, 401, 411, 412, 416, 432, 439, 441, 465, 472, 482, 489, 491, 505, 509, 511, 532, 540, 544, 546, 547, 557, 571, 573, 582, 611, 612, 613, 619, 628, 629, 640, 658, 680, 685, 722, 736, 755, 774, 785, 786, 796, 797, 798, 802, 806, 830, 831, 832, 833, 834; **12**. 98, 99, 135, 227, 242, 297, 396; **13**. 2, 4, 11, 13, 20, 27, 51, 55, 56, 68, 70, 84, 86, 93, 94, 124, 129, 132, 134, 136, 163, 173, 232, 233, 255, 269, 288, 296, 297, 303, 307, 310, 321, 323, 387, 396, 429, 438, 447, 462, 535, 631, 641, 650, 651, 658, 734*b*, 895, 896, 968, 969, 987; **14**. ix, 38, 41, 92, 98, 108, 141, 144, 172, 225, 236, 383, 388, 436, 446, 447, 453, 457, 458, 459, 470, 474, 476, 497, 599, 619, 623, 635, 650, 660, 756, 771, 798, 803, 804, 807, 822, 829, 831, 835, 839, 842, 846, 853, 863; **15**. 15, 23, 71, 72, 78, 153, 165, 315, 319, 321, 341, 347, 352, 357, 358, 374, 379, 380, facing 380, 382, 389, 396, 423, 437, 438, 440, 488, 528, 531, 539, 544, 553, 555, 557, 558, 576, 600, 623, 634, 642, 650, 651, 655, 661, 760, 766, 777, 784, 785, 786, 788; **16**. vi, ix, xi, 12, 13, 45, 89, 128, 129, 131, 180, 184, 187, 188, 189, 199, 204, 241, 246, 250, 255, 268, 299, 337, 338, 347, 399, 418, 422, 481, 491, 501, 506, 513, 515, 533, 534, 536, 553, 555, 560, 572, 591, 604, 625, 635, 639, 645, 715, 717, 720, 723, 724, 729, 735, 742, 768, 786, 879, 918, 919, 935, 936, 941, 943, 947, 950, 954, 957, 962, 964, 966, 968, 971, 980, 981, 982, 983, 986, 990, 1200; **17**. vii, ix, x, 43, 82, 125, 126, 127, 129, 130, 131, 144, 147, 148, 152,

166, 169, 185, 188, 309, 320, 326, 412, 478, 479, 483, 502, 507, 629, 630, 632, 698, 699, 816, 901, 902, 1010, 1011, 1014, 1015, 1016, 1018, 1019, 1021, 1023, 1035, 1036; **18**. 34, 38, 42, 46, 64, 65, 68, 118, 137, 139, 213, 214, 215, 216, 274, 300, 404, 421, 422, 423, 424, 477, 497, 534, 582, 593, 598, 601, 603, 636, 638, 645, 648, 672, 694, 740, 771; **19**. 22, 88, 189, 370, 505, 554, 611, 612, 615, 653, 669, 672, 678, 688, 711, 881, 942, 962, 963, 964, 974, 975, 991, 997, 999; **20**. 29, 30, 32, 57, 86, 151, 161, 162, 312, 328, 375, 405, 418, 510, 522, 532, 537, 542, 557, 585, 594, 605, 621, 625, 626, 640, 645, 660, 661, 667, 675, 680, 703, 716, 725, 727, 728, 729, 754, 771; **21**. 52, 62, 73, 79, 87, 122, 200, 226, 232, 238, 245, 246, 256, 262, 268, 273, 279, 287, 290, 335, 407, 408, 444, 445, 453, 459, 473, 480, 498, 504, 505, 516, 518, 533, 541, 548, 560, 562, 564, 565, 568, 575, 599, 600, 624, 628, 694, 724, 725, 748, 956, 1034, 1035, 1068; **22**. iv, 102, 125, 126, 131, 132, 133, 134, 135, 142, 143, 144, 145, 147, 148, 149, 152, 153, 158, 195, 198, 199, 201, 202, 204, 206, 207, 208, 209, 210, 231, 233, 238, 262, 272, 298, 300, 303, 382, 385, 406, 430, 441, 454, 462, 525, 537, 539, 540, 551, 563, 565, 571, 572, 602, 609, 617, 618, 622, 623, 731, 735, 736, 747, 751, 774, 776, 782, 785, 809, 819, 824, 828, 830, 831, 836, 837, 838, 846, 851, 854, 858, 861, 868, 869, 908, 940, 952, 1007, 1023, 1025, 1026, 1029, 1043, 1044, 1047; **23**. 230, 292, 343, 344, 347, 351, 356, 362, 382, 417, 418, 553, 624, 639, 692, 874, 910, 988; **24**. 37, 50, 162, 166, 264, 427, 507, 635, 636, 643, 644, 749, 767, 768, 947, 963; **25**. 39, 66, 246, 268, 349, 392.

act for academy in, **24**. 511-13, 984-5; **25**. 18-20; for church in, **23**. 368, 475, 803-4; **25**. 243-4, 263, 348-9; act for courts, **23**. 253, 254, 255, 946, 990; **25**. 275, 276, 437; for lottery in, **23**. 502; **25**. 391-2; for pub. buildings, **23**. 928-9; **24**. 296; **25**. 275, 286, 437; for road to, **23**. 417-19, 657, 662, 663, 753-4; **25**. 487-9; for tax for public buildings in, **24**. 137-9; **25**. 97-8; on pilotage, **23**. 650-4, 682-3; to appoint inspector for, **23**. 352-5; to buy lot in, **24**. 520-2, 624-5, 694, 756-7; to change name of Newton to W. and to regulate, **23**. 133-135, 335; to confirm survey, **23**. 234-7, 338; to create, **23**. 445-7; to erect to be repealed, **5**. 92, 116, 151; to erect repealed and to be reënacted, **5**. 405-407; to establish maritime court, **24**. 686-8; to give powers to Presbyterian congregation in, **24**. 757-8; to raise money for church by lottery, **23**. 535-7; to regulate, **23**. 146-149, 234-7, 338, 398, 446-7, 456-62, 753, 779, 866-9, 974-5; **24**. 145-6, 618-22, 725-30; **25**. 60-2, 105, 257-63, 511-13, 515-16; to regulate court proceedings in, **23**. 654-6; to regulate pilotage, **24**. 124-8, 167-8, 218, 316, 502-8, 586-92, 581-3; **25**. 71-3; to restrain slaves, **24**. 725-30.

action on stamp duty in, **7**. vi.

address on Stamp Act ment'd, **7**. 291.

admiralty ct. located at, **10**. 634, 644.

aid asked by Boston, **9**. xxxvii.

aids Boston, **9**. xxxvii-xxxviii.

Amer. prisoners carried to, **22**. v.

and flag vessels, **16**. 418, 422-423.

and post route, **16**. 737.

and Spanish alarm, **22**. 283, 286.

and Stamp Act, **7**. vii-viii, ix.

arms and ammunition sent to, **10**. 555, 556, 698.

assembly in, **4**. 597, 834, 838-843, 844; **5**. 191-212; **6**. 115-215, 469-520, 638-697, 800-92, 1089-1318; **23**. 205, 219, 251, 337, 338, 392, 516, 523, 535, 539, 546, 585, 596, 632, 660, 662, 678, 680, 723, 750, 759, 766; **25**. 349, 457, 462, 483, 486, 489, 491, 494, 496, 503, 511.

auctioneer for, **24**. 559.

Barnett missionary to, **7**. 163.

beef coms'r and warehouse for, **22**. 915.

bill for amending town law, **21**. 326, 350, 376, 384, 678; to build bridge on road to, **9**. 408, 415, 420, 422, 444, 446, 518, 519, 529, 535, 537, 542, 544, 584, 586, 719, 726, 761, 762, 775; for church, **4**. 1260, 1262, 1263, 1265, 1273, 1280, 1281, 1284, 1286, 1288, 1289, 1299; for C. H., **21**. 800, 831, 836, 998, 1003, 1007; for inspector of Great Island, **7**. 600, 604, 607, 623, 635-636, 637, 640-

641, 642, 644, 646, 669; for jail in, **7**. 598, 631, 632, 639; for maritime court, **18**. 199, 399; **19**. 446, 457, 484, 762, 781, 790, 801, 826-827; for more time on causeway, **18**. 151, 373; for prison in, **9**. 384, 388, 390, 392, 393, 394, 443, 463, 464, 473, 480, 482, 483, 485, 583, 661; **12**. 256, 404, 452; **13**. 357, 577, 595, 681, 700; for public buildings, **19**. 182, 189, 204, 307, 313, 316, 328, 332, 333, 343, 435, 454, 474, 640, 644, 683, 701, 764, 771, 773, 797, 820; **20**. 68-9, 101, 112; for road from, **6**. 1233, 1238, 1239-1240, 1243-1244, 1253, 1285, 1286-1287, 1293-1294, 1295, 1297, 1301-1302, 1303; **7**. 92; for road to, **6**. 909, 1096, 1159, 1161; **7**. 354, 359, 399-400, 596, 597, 600, 604, 606-607, 623, 626, 630, 635, 637, 641, 645, 668, 695, 696; for tax, **19**. 439, 472, 767, 772, 810, 823; **20**. 530; for vendue master, **7**. 308, 310, 311, 317, 325, 327, 375, 380, 381, 382, 391, 405; on courts in, **21**. 225, 239, 396, 599; on taxable property in, &c., **21**. 55, 76, 87; to alter name of Brunswick port to, **20**. 502, 510, 560; **21**. 39, 41, 45, 54, 61; to alter time of courts, **6**. 642, 644, 646, 660, 667, 671, 676, 679; to amend act to regulate, **7**. 899, 900, 905, 908, 921, 941, 942, 943, 952, 956, 961, 978; **9**. 720, 728, 766, 776, 784, 837, 840, 843, 860, 883, 887, 889, 896, 897, 900, 927, 989, 1013; **17**. 304, 305-6, 346, 368-9, 383; **20**. 44, 74, 77, 80, 106; **21**. 774, 790, 793, 813, 926, 929, 948, 956, 967; to amend academy law, **21**. 786, 789, 804, 947, 967; to ascertain taxable property, to regulate, &c., **18**. 398; to buy lot in for jail, **13**. 870, 873, 884, 954, 964, 974; **17**. 332, 355, 358, 397, 421; to confirm charter, **6**. 400, 443, 454, 486, 487, 495, 850, 913, 916, 1096, 1106, 1107, 1159, 1160, 1161, 1170-1171, 1173, 1175, 1176, 1179, 1182; to erect, **4**. 235, 482, 483, 485, 492, 510, 511, 512, 513, 515; to erect as borough, to incorporate and regulate, &c., **12**. 56, 58, 62, 70; to establish fairs in, **12**. 168, 173, 178, 205, 206, 220, 255, 320, 344, 349, 382; **13**. 358; to finish church in, **5**. 834, 835, 836, 839, 842, 852, 853, 854, 855, 856, 862, 866; **7**. 635, 636, 639; **8**. 299, 338-339, 340, 348, 349, 390, 393, 394, 400, 429; by lottery, **6**. 452, 453, 461, 465, 466, 468, 480, 484, 498, 501, 507, 508, 511; to incorporate, **6**. 180, 194, 195, 196; to incorporate churches, **20**. 42, 75, 76, 93, 106-107; to incorporate mftrs., **21**. 243, 256, 265, 307, 318, 621, 688, 762, 813, 912, 915, 972; to incorporate Presby. Church, **17**. 321, 328, 332, 346, 359, 369, 398, 401-2, 405, 415; to regulate, **4**. 540, 541, 542, 549, 566, 567, 568, 572, 783, 785, 786, 787, 788, 791; to regulate, **5**. 183, 184, 186, 187, 199, 200, 202, 203, 205, 206, 208, 671, 674, 677, 687, 709, 713, 718, 720, 723-724, 725, 738; **7**. 557, 558, 561, 580, 584, 585, 596, 601, 603, 623, 627, 636, 638, 640, 642, 669; **8**. 299, 339, 340, 349, 359, 363, 393, 394, 414, 430, 477, 479, 523; **9**. 108, 111, 117, 118, 119, 120, 135, 146, 149, 158, 159, 174, 184, 189, 221, 257; **12**. 177, 178, 206, 213, 220, 224-225, 227-8, 255, 345, 349, 382, 391, 404; **13**. 358; **17**. 321, 336, 382, 385, 414; **19**. 208, 338; **21**. 243; to regulate pilotage, **12**. 177, 191, 193, 202, 205, 209-210, 254, 346, 357, 365, 370, 377-378, 385, 387, 452, 594, 600, 613, 617, 625-626, 654, 703, 704, 721, 732, 737; **13**. 356, 577, 594, 604, 681, 700, 715; to regulate proceedings in court for, **6**. 1233, 1239, 1244-1245, 1252, 1256, 1257, 1285, 1286, 1294-1295, 1296, 1297, 1300-1301, 1303, 1305-1306, 1311, 1315; **7**. 92; to regulate slaves in, **17**. 346, 368-369, 382, 385, 414; to repeal act to regulate, **20**. 170; to repeal road act, **6**. 388, 393; to tax, **18**. 211.

British advance on, **15**. 781; in, **15**. 437, 443, 444, 448, 455, 627, 641, 783, 786; **17**. 881; **22**. 534, 537, 539, 540, 543, 548, 550, 555, 563, 564, 568, 589; **24**. 411, 459; evacuate, **15**. 511, 535; **16**. 5; near, **15**. 782; **17**. 678-679, 680, 683, 698, 700, 710, 776, 777; should be driven from, **15**. 605; threaten, **14**. 105, 748-9, 833; **15**. 624; **16**. vi; in 1777, **15**. 785.

Bute burned in effigy, **7**. vi.

calamity to by fire, **22**. 784.

calls Prov. Cong., **11**. ix.

census to be taken, **10**. 89, 299.

church in, **7**. 284; to be finished by lottery, **6**. 32.
citizens leave, **15**. 543.
collector for, **17**. 80; **24**. 552; removed to, **4**. 464.
complaints of double voting on bill to change name from Newton, **4**. 448-453, 462, 482, 483, 485, 486-487.
condition of church, **7**. 260.
conduct of Young, **16**. 509, 528.
contested election from, **16**. 5, 23, 31-32, 33.
Cornwallis retreats to and thence north, **16**. viii.
correspondence with British authorities on provisions, **10**. 477-481, 490.
council held in, **4**. 448-461, 593-603; **5**. 29-30, 33-34, 36-38, 172-174, 175-176, 655-656, 990-992, 993-995; **6**. 75-79, 81-85, 330-332, 340-345, 628-638, 755-766, 1009-1020, 1064-1076, 1077-1088; **7**. 4-7, 8-9, 133-137, 258-259, 427-428, 446-447, 449-454, 523-529, 690, 720-722, 729-730, 783, 883-884; **8**. 36-38; **9**. 1078.
Council of Safety held in, **10**. 618*d*-647.
court of admiralty proposed for, **10**. 580; of o. and t. granted to, **8**. 481; to be held in, **6**. 168.
courthouse used for church, **25**. 244.
Craig in, **16**. viii; leaves, **16**. ix.
description of fortifications, **15**. 423.
destruction threatened, **10**. 466.
disaffection in, **11**. xviii.
distillery in, **8**. xlvii, 154, 496.
Dobbs's charter surrendered, **9**. 818.
election brawl, **16**. 945.
established, **4**. 424.
evacuated, **19**. 876; **22**. 210-11, 215.
export commissioner at, **10**. 686.
exports to Newfoundland to be stopped, **9**. 1285.
express from S. C. stops at, **8**. 73.
fire in, **18**. 672, 680.
flag of truce asked for, **15**. 528, 529; to given by Burke, **15**. 595.
fortified, **10**. 426.
French agent at, **15**. 366.
George III. proclaimed at, **5**. xxxi.
given representation in Gen. Assem., **10**. 1007.
goods from Va. sent to, **11**. 485; imported for, **9**. 1095, 1098.
guard for magazine, **22**. 927.
guns in, **8**. 30.
improper place for assembly, **4**. 1158.
incorporation asked, **6**. 331.
inspection at, **23**. 641, 790, 791; **24**. 581; **25**. 313, 379.
Laurens to Provincial Congress on military affairs in S. C., **11**. 267-269.
law to establish discussed, **4**. 458; repealed, **4**. 457, 463.
loan office in, **24**. 130.
Macdowell labors in, **6**. 232, 239.
magazine at examined, **6**. 686; removed from, **11**. 680; to be guarded, **11**. 591; to be removed from, **11**. 610, 611, 612, 620.
mail route to, **5**. 516-517, 555-556, 684, 731-732.
mayor and leaders to Tryon on Stamp Act, and answer, **7**. 242-243, 248-249.
members of assembly, **4**. 552, 554, 733, 815, 839, 1154, 1170, 1176, 1231, 1274; **5**. 61, 62, 192, 232, 693, 845, 1002, 1111; **6**. xxvii, 77, 662, 683, 801, 805, 897, 1150; **7**. 168*b*, 172, 284, 342, 473; **8**. 107, 113, 304; **9**. 448, 735, 1189; **12**. 656, 817; **13**. 785, 817; **16**. 2; **17**. 130, 131, 266, 269, 756, 878, 880; **18**. 227, 239; **19**. 234, 489, 511, 530, 548, 718; **20**. 120, 131, 159-162, 163; **21**. 3, 112, 195, 872, 885.
members in conv. 1788 and 89, **22**. 4, 39.
members in Prov. Cong., **9**. 1043, 1179; **10**. 152, 166, 282, 501, 915.
memorial from, **16**. 21, 24; and bill to regulate, **19**. 581, 604, 607, 634, 701; and bill for relief, **19**. 6, 42, 65, 82; of comsr's against exports, **22**. 891-2.
militia go against regulators, **8**. 649; guard disbanded, **13**. 11.
military and naval stores to be removed from, **11**. 754-755; **13**. 777; **22**. 919, 925.
military operations about, **10**. 465-468.
mutiny at, **10**. 684; **11**. 330.
naval stores inspection for, **23**. 748.
negro trial in, **7**. 685-686.
no clergymen in, **6**. 710.
no press in, **16**. 933, 963.
nom. as place for assem., **19**. 312; **21**. 822, 991.
number members in assem., **5**. 88.
on post route, **7**. 149, 413, 454, 455.
operations against proposed by Burke, **15**. 595.

opposition to act to regulate, **4**. 611, 612.
ordnance in, **7**. 246.
oyer and terminer court at, **4**. 807.
papers printed in, **11**. 818, 820, 826.
petition from, **21**. 956, 963, 1031-1032, 1047; against exports, **14**. 317; for drawback on liquors, **6**. 1271; on contested election, **15**. 189-193; on hides, **5**. 247, 248; on old C. H., **20**. 146; on musters and bill on, **20**. 131, 134, 154, 155-156, 164, 175, 177, 185, 314, 333, 334, 340, 353, 367-368; on roads, **5**. 1060; on wives and children of tories, **16**. 467-469.
poll-book of, **15**. 237-238.
pork in, **14**. 800.
post from, **5**. 1038, 1101; **6**. 1058; **7**. 100; **7**. 166, 168*f*; to be established, **5**. 885, 886, 918, 919, 920.
powder to be sent to, **11**. 310, 312.
press in, **13**. 13; and newspaper in, **11**. 786.
prices in, **22**. 571.
prisoners sent to, **14**. 25, 617.
privateers fitted out at, **11**. xx; **15**. 686.
proceedings of Purviance in, **11**. 279-282.
proposed post route to, **7**. 204-205, 222.
proposition to hold assem. in, **6**. 1.
provisions in, **15**. 315, 316; sent to, **10**. 692; to be bought at, **22**. 959.
public building in, **4**. 1023; **21**. 573-574.
public stores in, **6**. 1113, 1183, 1198; removed from, **12**. 422-423, 437; **18**. 818; threatened, **15**. 413; ravaged by Craig, **15**. 495.
records removed from, **8**. 371, 445, 452, 480; sent to, **6**. 300-301; to be produced in trial at, **9**. 601; to be removed to, **6**. 767-768.
refuses provisions to Viper, **7**. 184-6, 189.
regulators to be jailed in, **7**. 742-743.
report on building public offices in, **6**. 204, 208; on militia of, **22**. 384, 388; on tax for offices at, **5**. 966; on valuation of houses, **10**. 389-390.
represented in assembly, **23**. 146, 147, 251, 980.
return of election in, **15**. 190.
safety com. of, **10**. 212; accounts of, **10**. 436-9; Johnston to on calling of Prov. Cong., **10**. 116-117; Martin's letter to White sent to, **10**. 86; Newbern S. C. to on fasting and prayer day, &c., **10**. 65-66; proceedings, **9**. 1088-1091, 1095, 1098-1100, 1101, 1103-1104, 1107-1113, 1118-1119, 1120, 1122, 1126, 1127-1129, 1135-1136, 1143, 1149-1154, 1166, 1168, 1170-1171, 1185-1186, 1222, 1238, 1265-1266; **10**. 12, 15, 24-29, 50, 64-65, 68-69, 72-74, 87, 89, 91-92, 93, 112-115, 121, 124, 141, 143, 151, 157-158, 159-161, 220, 231, 234, 235, 262, 263-264, 279, 282-283, 298-299, 304-305, 317, 328, 331-332, 334-337, 345, 348, 350, 351, 358, 363, 388-390, 393-394, 400, 405, 410-412, 418-420, 421-2, 431-2, 435-9; to Johnston on calling a Prov. Cong., **9**. 1285; **10**. 91-92; to Newbern S. C. on public affairs, **10**. 73-74.
school opened in, **9**. 239.
Scotch element in, **10**. 48; merchants compelled to join patriots, **10**. 236.
service near, **17**. 97.
shut up, **7**. 168*a*.
size and condition, **5**. 158.
Smith located in as minister, **6**. 222.
Spanish prisoners at, **6**. 799.
Stamp Act proceedings, **7**. 123-125, 127-130, 143-144, 168*a*, 168*b*, 168*c*-168*e*, 169-174, 187, 195, 198, 222-223.
stores at guarded, **12**. 417.
stronghold of patriots, **11**. 298.
supplies at, **13**. 169.
supreme ct. held in, **5**. 260, 1083; to be held in, **5**. 760.
test administered to all men in, **10**. 436.
the Washington sold in, **11**. 825.
time of courts, **5**. 666.
to muster troops against Ft. Johnston, **10**. 93.
to Tryon on repeal of Stamp Act, and answer, **7**. 222-223.
tobacco to be delivered at, **24**. 813.
tories in, **22**. 553, 570; return, **16**. 560-561; send supplies to Br. in. **15**. 487; threaten, **16**. 250, 553; **22**. 923.
trade to, **13**. iv; regulated, **10**. 151.
troop of at Moore's Creek, **11**. 283; needed in against tories, **16**. 569, 572; sent to, **10**. 558, 563, 564.
Tryon offers to pay wine license for, **7**. 128.

Wilmington (parole), **22**. 870.
Wilmington, Del., **9**. 1066, 1068, 1249; **10**. 483; **11**. 625, 636, 757; **13**. 4, 369.
camp at, **12**. 495.
Wilmington, schooner, **21**. 408.
Wilmington and Weldon R. R., settlements east of, **1**. xii.
Wilmington Baptist Church, **5**. 1179.
Wilmington brigade, guards magazine, **22**. 923.
officers for, **10**. 626.
Wilmington district, **7**. 406, 486, 948; **9**. 617, 1016, 1017, 1036; **10**. 24, 186, 193, 214, 581, 925, 958; **11**. 255, 267, 482; **12**. 688, 689, 694; **13**. 323, 363, 414, 416, 438, 643, 683, 684, 752, 777, 779, 780, 804, 805; **14**. 4, 64, 338, 431, 446, 455, 465, 485, 487; **15**. 137, 190, 435, 449, 453, 495, 541, 639; **16**. ix, 88, 109, 418, 419, 448, 490, 494, 501, 516, 528, 534, 579, 622, 644, 702, 703, 704, 708, 712, 719, 723, 724, 742; **17**. vii, 277, 278, 309, 649, 655, 680, 698, 735, 736, 739, 780, 828, 857, 859, 941; **18**. 29, 30, 32, 42, 122, 123, 168, 170, 175, 234, 402, 406, 411, 804, 820, 821, 824; **19**. 119, 122, 123, 165, 185, 189, 202, 209, 224, 230, 292, 311, 317, 318, 340, 361, 362, 367, 370, 443, 492, 509, 533, 550, 626, 650, 653, 654, 663, 671, 691, 693, 704, 711, 799, 838, 910; **20**. 5, 6, 46, 52, 99, 130, 143, 253, 283, 375, 398, 569, 598; **21**. 153, 163, 168, 173, 349, 634, 832, 852, 1039, 1069; **22**. 845, 847, 850, 944, 953, 955; **23**. 624, 654, 688, 705, 859, 872, 874, 990, 991; **24**. 37, 38, 48, 50, 132, 162, 273, 643, 645, 704, 749, 839, 927, 969; **25**. 1, 28, 39.
abuses in from flags, **16**. 681.
act for academy in, **24**. 511-13, 984-5; **25**. 18-20; for court dist., **25**. 433-49; for jail in, **23**. 928-9; for relief of, **24**. 459-60; for store in, **24**. 323; for tax for public buildings, **24**. 137-9; **25**. 97-8; on jurors, **23**. 575; **24**. 907-8; **25**. 422; to buy lot for pub. buildings, **24**. 520-2, 624-5, 694, 756-7; to change time of court, **24**. 664-8; to put into Eastern riding, **25**. 65-7.
bill for C. H. for, **21**. 800, 831, 836, 934, 961, 968, 982, 998, 1003, 1007; for jail for, **7**. 598, 631, 632, 639; **12**. 256, 404, 452; **13**. 357, 577, 595, 681, 700; **17**. 332, 355, 358, 397, 421; for public buildings, **19**. 182, 189, 204, 307, 313, 316, 328, 332, 333, 343, 435, 454, 474, 640, 644, 683, 701, 764, 771, 797, 820; **20**. 68-69, 101, 112; to add road to, **6**. 853, 854, 917, 920, 923; to alleviate sufferings of, **16**. 70, 71, 99, 122; to alter time of court, **19**. 470, 817-18; **21**. 793, 797, 812, 957, 966, 998; to amend act on education, **21**. 248, 396, 698; to appoint jurors for, **20**. 275, 283, 458; to buy lot for jail, **13**. 870, 873, 884, 954, 964, 974; to change time of court, **21**. 248, 322-323, 619; to promote learning in, **18**. 212, 398; **19**. 159, 199, 206-207, 277, 278, 320, 326, 327, 334; **20**. 538, 584; **21**. 74, 80, 95, 103, 127, 152, 153.
bond of Burgwin as clerk, **7**. 783-784.
brig. gen. to appoint commissary, **12**. 586; elected for, **13**. 584, 689, 691, 734*d*, 734*g*; **17**. 412, 415; **20**. 100, 102, 103.
census of 1790, **26**. 312.
commissioners on exports for, **10**. 473-474; on pension claims, **24**. 736; on provisions for, **15**. 200.
confiscation coms'r for, **24**. 662.
counties included in, **15**. 377; **23**. 692.
district auditors for, **24**. 373, 387, 422.
established for judicial purposes, **23**. 550-63.
Hooper resigns as clerk, **14**. 845.
horses impressed in, **17**. 939-940.
judges of, **12**. 109; **22**. 907.
little help from, **22**. 564-5.
members com. of safety from, **10**. 618*d*, 697.
military officers and troops from, **24**. 340, 341; officers for, **10**. 518.
military organization of, **10**. 196, 205, 288, 291, 471, 518, 530, 539, 558, 559, 563, 564, 577, 579, 584, 625, 626, 629, 639, 644, 694, 943; **11**. xi, xviii; **24**. 1-5, 190, 358.
militia to be raised, **17**. 698, 776, 777; to be disbanded, **13**. 751, 805; to be sent to, **17**. 761, 762.
money from for Cont. line, **24**. 567.
officers for, **12**. 100, 103, 109; **14**.

264, 265; **16**. 148, 167, 168, 169, 175; **18**. 449, 458; **20**. 262, 270, 442, 455.
orders for, **16**. 635; to commissary of troops and provisions, **14**. 431.
people call convention, **9**. xxix, xxxi.
Prov. Council for, **10**. 214, 283.
provisions in to be sold, **24**. 394.
return of militia, **22**. 1022; of troops, **16**. 644-5.
report on sale of confiscated property, **21**. 155, 156.
Safety Com. organized and duties, **10**. 208, 214; proceedings, **10**. 24-29, 142.
spirit of robbery in, **16**. 422.
time of ct., **7**. 605, 643.
to be sacrificed to Br., **22**. 540.
tory families to be removed, **16**. 181-182.
treasurer for, **13**. 765-6, 783; **18**. 804, 806, 821, 824; **24**. 259; discharged from attendance on assembly, **13**. 965.
troops located in, **10**. 878; to stay in N. C., **24**. 405; to be raised in, **24**. 156, 157, 199, 369, 372, 415.
Wilmington Gazette, cited, **8**. 547.
Wilmington River, 10. 478, 481.
Wilmousky, Capt., dead, **17**. 1015.
Wilmouth, Thos., horseman, **15**. 509.
Wilson. See Willison, Willson.
Wilson, ——, **22**. 292.
Wilson, ——, forage master, **12**. 519.
Wilson, ——, Nash to on magazine, &c., **15**. 68.
Wilson, ——, recommended as purveyor, **14**. 756.
Wilson, Mr., 11. 734.
Wilson, Mr., commissary on regulator campaign, **8**. 603, 604.
Wilson, Mr., courtmartialed, **12**. 502.
Wilson, Mr., in assembly, **4**. 365, 376, 715, 718, 719.
Wilson, Mr., on com. of assembly, **15**. 219.
Wilson, Mr., referee in duel, **15**. 85.
Wilson, Capt., executed, **15**. 183.
Wilson, Capt., inactive, **13**. 48.
money to for recruiting, **11**. 496-497.
joins Sheppard, **13**. 82.
pay roll of the Caswell referred to governor, **12**. 637, 742, 746.
reports on the Caswell, **12**. 559-560, 662-3.
Wilson, Capt., roster of co., **16**. 1006, 1016, 1033, 1045, 1052, 1058, 1067, 1078, 1087, 1098, 1104, 1115, 1136, 1147, 1159, 1172, 1187.
Wilson, Dr., asks for salt, **14**. 456.
prisoner, **22**. 524.
surgeon, **11**. 583.
Wilson, Lieut., killed, **15**. 638.
Wilson, Aaron, army rank, **13**. 512; **16**. 1181.
Wilson, Alex., voter, **15**. 237.
Wilson, Alice, imported, **1**. 395.
Wilson, Amos, army pay, **17**. 259.
Wilson, Andrew, captain, **22**. 112.
Wilson, Andrew, paroled to Hillsboro, **10**. 683.
to be jailed, **10**. 631.
Wilson, Ann, imported, **1**. 395.
Wilson, Anne, sells land, **1**. 578.
Wilson, Benj., petition, **20**. 155, 209, 328, 338, 381, 394.
Wilson, Benj., quit rents of, **22**. 254.
Wilson, Caleb, a J. P., **4**. 713.
in assembly, **4**. 652, 720, 727, 815, 1181.
land grants to, **4**. 590, 629.
on com. of assem., **4**. 816, 817, 832.
struggle over representation act, **4**. 1158, 1160, 1161, 1167, 1168-9, 1183, 1188, 1203-4.
tax collector, **23**. 255.
warrant against, **4**. 750.
Wilson, Charles, musters to be held in old field of, **24**. 716.
Wilson, Charles, petition on separation, **22**. 705-9.
Wilson, Christian, in militia, **22**. 384.
Wilson, Daniel, in militia, **22**. 324.
Wilson, Daniel, memorial, **19**. 217, 219, 220, 221, 351, 357.
Wilson, David, allowance to, **19**. 364; for Indian presents, **21**. 399, 709.
captain, **14**. 264; of light horse, **13**. 734*g*.
district auditor, **24**. 373, 387, 422.
in assembly, **12**. 656, 681, 699, 701, 704, 715, 736, 816, 822, 823, 872, 879; **13**. 625, 668, 690, 697, 708, 709, 712, 721, 785, 811, 813, 823, 919, 925, 966, 972, 975, 980, 982, 984, 988, 990, 1000; **16**. 2, 33, 127, 153, 156, 165, 167; **17**. 715, 878, 936, 947, 948, 953, 963; **18**. 808; **19**. 15, 20, 21, 78, 83, 87, 139, 149, 180, 194, 208, 234, 235, 236, 249, 264, 282, 286, 295, 300, 321, 325, 334, 335, 354, 377, 379, 380, 384, 386, 388, 389, 391, 396, 398, 461, 467, 471, 486, 508, 511, 512, 520, 526, 528, 562, 571, 593, 594, 608, 613,

614, 622, 627, 643, 644, 650, 667, 671, 675, 676, 682, 688, 714, 733, 739, 745, 773, 777, 794, 804, 806, 808, 816, 818, 822, 824, 827, 829, 835; **21**. 194, 196, 199, 209, 213, 229, 234, 237, 264, 284, 294, 301, 332, 345, 358, 372, 402, 411, 432, 584, 588, 595.
in conv. 1788, **22**. 3.
in conv. 1789, **22**. 38, 47, 48.
on board of auditors, **15**. 577.
on com. of assem., **12**. 766, 821; **13**. 534, 626, 740, 790, 791, 866, 958; **16**. 34, 43, 45, 46, 117, 125, 130; **17**. 636, 648, 716, 717, 727, 730, 755, 811, 840, 851, 894, 914, 933, 946.
petition, **20**. 13; considered, **17**. 283, 286.
salt coms'r, **25**. 31.
salt to, **14**. 470.
Wilson, David, survey for, **19**. 682; **24**. 566.
Wilson, David, land to, **24**. 484.
Wilson, Ebenezer, in militia, **22**. 370.
Wilson, Ebenezer, in militia, **22**. 380.
Wilson, Edward, appraiser, **1**. 452.
buys land, **1**. 620.
constable, **1**. 656.
deed to, **1**. 398.
estate administered on, **1**. 871.
juror, **1**. 621.
witness, **1**. 620.
Wilson, Edward, army pay, **17**. 256.
army rank, **16**. 1188.
Wilson, Edward, horse impressed, **16**. 266.
Wilson, Edward, in militia, **15**. 399.
Wilson, Elias, exempted, **8**. 313.
Wilson, Geo., a J. P., **22**. 133.
Wilson, Geo., army rank, **16**. 1182.
elections in company of, **18**. 812.
trouble in company of, **13**. 150-1, 158-9.
Wilson, Geo., in militia, **22**. 160.
Wilson, George, regulator, **7**. 733.
Wilson, George, regulator, **8**. 79.
Wilson, Henry, army rank, **16**. 1189.
Wilson, Henry, in militia, **22**. 160.
Wilson, Hugh, exempted, **9**. 476.
Wilson, Isaac, appraiser, **1**. 613, 625.
at court, **1**. 388.
attorney, **1**. 650.
buys, **1**. 613, 650.
imports persons, **1**. 650.
juror, **1**. 338, 396, 426, 427, 428, 430, 431, 627.
keeps toll books, **1**. 490.
land rights assigned to, **1**. 651.
receives power of attorney, **1**. 624.
sells land, **1**. 578; **2**. 171.
Wilson, Isaac, imported, **1**. 651.
Wilson, Isaac, Watauga to be annexed, **10**. 708-711.
Wilson, Isaac, Watauga to be annexed, **10**. 708-711.
Wilson, J. D., captured, **22**. 553.
Wilson, Jacob, certificate to drafted Quakers, **13**. 275.
Wilson, Jacob, in militia, **22**. 451.
Wilson, James, **2**. 752.
Wilson, James, **24**. 472.
Wilson, James, agrees to restitution of fees in Rowan, **8**. 521-522, 534.
Wilson, James, army pay, **17**. 256.
Wilson, James, army pay, **17**. 260.
Wilson, Jas., army rank, **16**. 1187.
Wilson, Jas., army rank, **16**. 1191.
Wilson, James, arrested as loyalist, **10**. 706.
imprisoned, **10**. 761-762.
Wilson, James, asks pardon for Hunter, **9**. 86.
Wilson, James, asks Tryon for peace for regulators, **8**. 640-1.
Wilson, James, captain, **22**. 94.
Wilson, James, claim allowed, **18**. 329.
Wilson, James, claims paid, **10**. 439.
Wilson, James, imported, **1**. 395.
Wilson, James, in assembly, **12**. 368, 380, 399, 408, 429, 442; **16**. 1, 3, 49, 156, 165, 167; **19**. 233, 235, 236, 262, 263, 270, 286, 375, 395.
in conv. 1788, **22**. 12, 26, 27, 31, 35.
in conv. 1789, **22**. 37.
on clothes for 10th regt., **11**. 670-671.
on Rowan, **10**. 252.
recruits troops, **11**. 472.
Wilson, James, juror, **4**. 517.
land grant to, **4**. 1039, 1246.
land to be resurveyed, **4**. 344.
Wilson, James, lieut., **10**. 937.
Wilson, James, nom. major, **19**. 141, 145, 256.
Wilson, James, pensioner, **22**. 90.
Wilson, James, petitions for division of Orange Co., **9**. 809-810.
Wilson, James, petitions on land grants, **9**. 1260-1262; **11**. 250-253.
Wilson, James, prisoner, **15**. 630.
Wilson, James, receiver, **23**. 271.
Wilson, James, regulator, **7**. 733.
Wilson, James (of Pa.), debates on

the jurisdiction of Cont. Congress, **11**. 384.
in Cont. Cong., **9**. 1246; **11**. 385; **17**. 556, 640, 641, 671.
in Fed. Conv., **20**. 763.
opposes State rights, **11**. 461.
Wilson, Jesse, exchanged, **22**. 551.
Wilson, John, a J. P., **4**. 332.
land grant to, **4**. 335, 588.
Wilson, John, allowance to, **12**. 612.
Wilson, John, allowance to, **21**. 420, 424, 435, 721.
Wilson, John, army pay, **17**. 256.
Wilson, Jno., army rank, **16**. 1180.
Wilson, John, army rank, **16**. 1185.
Wilson, Jno., army rank, **16**. 1188.
Wilson, Jno., army rank, **16**. 1188.
Wilson, Jno., army rank, **16**. 1192.
Wilson, John, building coms'r, **24**. 472, 646.
Wilson, John, commended to Nash, **15**. 155-156.
Wilson, John, enlists, **22**. 446.
Wilson, John, exempted, **5**. 916.
Wilson, John, fined, **9**. 652.
Wilson, John, imported, **1**. 395.
Wilson, John, in assembly, **12**. 286.
Wilson, John, in Davidson's co., **14**. 294.
Wilson, John, in militia, **22**. 162.
Wilson, John, in militia, **22**. 398.
Wilson, John, juror, **1**. 445, 447, 588.
sells land, **1**. 442.
settler, **1**. 76.
sued, **1**. 406.
witness, **1**. 403, 411, 423.
Wilson, John, pays money, **21**. 1063.
Wilson, John, pensioner, **22**. 91.
Wilson, John, petition, **17**. 759; **21**. 812, 858, 868, 977, 1040, 1042, 1058.
Wilson, John, petitions on land grants, **9**. 1260-3.
Wilson, Jno., quit rents of, **22**. 254.
Wilson, John, refuses to settle note, **16**. 987.
Wilson, John, regulator, **7**. 733.
respited and reprieved, **22**. 932.
Wilson, John, reprieve of discussed, **12**. 120, 268, 274-5.
Wilson, John, serg. maj., **7**. 830.
Wilson, John, signs Cumberland Co. Ass'n, **10**. 29-30.
Wilson, John, town coms'r, **24**. 778.
Wilson, John, Sr., riots, **10**. 935.
Wilson, Joseph, a J. P., **6**. 340.
Wilson, Joseph, a J. P., **11**. 653.
Wilson, Joseph, army rank, **16**. 1189.
Wilson, Joseph, coms'r to locate C. H., **12**. 597, 705.
Wilson, Jos., in militia, **22**. 283.
Wilson, Jos., in militia, **22**. 397.
Wilson, Joseph, officer, **22**. 702.
Wilson, Jos., writes to Fanning, **22**. 227.
Wilson, Joshua, army pay, **17**. 257.
Wilson, Margret, sells land, **1**. 442.
Wilson, Matthew, **24**. 472.
Wilson, Michael, regulators' entry on causes of, **8**. 237.
Wilson, Michael, suit against, **10**. 434.
Wilson, Michal, in militia, **22**. 394.
Wilson, Michel, in militia, **22**. 164.
Wilson, Philip, exempted, **6**. 829.
Wilson, Robert, **5**. 1201.
Wilson, Robert, **14**. 586.
Wilson, Robt., army rank, **16**. 1184.
Wilson, Robt., army rank, **16**. 1191.
Wilson, Robt., army rank, **16**. 1193.
Wilson, Robert, at court, **1**. 388.
demands depositions, **1**. 434.
juror, **1**. 427, 428, 431.
law suits, **1**. 387, 388, 413, 414, 415, 416, 417, 418, 421, 422, 428, 429, 435-436.
Wilson, Robert, bills of, **22**. 438, 439-440.
paid for services, **22**. 483.
Wilson, Robt., in militia, **22**. 321.
Wilson, Robt., in militia, **22**. 322.
Wilson, Robt., in militia, **22**. 397.
Wilson, Robt., in militia, **22**. 453.
Wilson, Robert, pauper, **1**. 569.
Wilson, Robert, pensioner, **22**. 90.
Wilson, Robert, pensioner, **22**. 90.
Wilson, Robt., quit rents of, **22**. 254.
Wilson, Robert, surgeon, **10**. 622, 623.
Wilson, Robert, to bring suit, **10**. 310.
Wilson, Samuel, army pay, **17**. 257.
Wilson, Samuel, army pay, **17**. 260.
Wilson, Samuel, **1**. 345.
description of C., **1**. 342, 344.
goes to C., **1**. 343.
itemized bill to Proprietors, **1**. 344.
on Carolina affairs, **1**. 342-343.
sec. to Proprietors, **1**. 338.
Wilson, Sam'l, in militia, **22**. 397.
Wilson, Samuel, land grants to, **4**. 603, 952, 1034, 1238, 1246, 1251.
rights proved, **4**. 601.
Wilson, Samuel, letter on court martial of Alston considered, **12**. 712-13.
Wilson, Saml., pensioner, **22**. 90.

Wilson, Samuel, petitions on land grants, **9**. 1260-3.
Wilson, Scarbrook, in militia, **22**. 360.
Wilson, Scasbrook, a J. P., **6**. 636.
Wilson, Seth, elected a soldier, **13**. 729.
Wilson, Stephen, asks pardon for Fruit, **9**. 93-4.
certificate to Hunt, **16**. 473.
Wilson, Stephen, in militia, **22**. 166, 167.
Wilson, Stephn., petitions, **19**. 934.
Wilson, Stephen, takes oath, **22**. 175.
Wilson, Thos., army rank, **16**. 1189.
Wilson, Thos., army rank, **16**. 1192.
Wilson, Thomas, exempted, **9**. 476.
Wilson, Thomas, regulator, **7**. 736.
Wilson, Thos., voter, **15**. 238.
Wilson, Thomas, Jr., petitions for division of Orange Co., **9**. 809-810.
Wilson, Thos., Sr., exempted, **6**. 1299.
Wilson, Thos., army rank, **16**. 1189.
Wilson, Unity, petition, **21**. 213, 579, 585.
Wilson, Whitfield, army rank, **16**. 1181.
recommended for Q. M., **11**. 717; **15**. 700.
Wilson, Wm., **23**. 629.
Wilson, Wm., a J. P., **4**. 47, 346.
church coms'r, **23**. 231, 365.
claims, **4**. 529, 530.
dead, **4**. 774.
in assembly, **4**. 653, 720, 723, 727, 730, 731, 733.
land grant asked, **4**. 589.
land grant to, **4**. 61-62, 222, 273, 342, 588, 602, 616, 618, 635, 709, 711, 1242, 1250.
on com. of assembly, **4**. 381, 384, 409, 725, 736, 738.
on committee of public accounts, **4**. 398.
powder receiver, **4**. 374, 403.
resurvey granted to, **4**. 454.
rights proved, **4**. 596.
sheriff, **4**. 347.
Wilson, Wm., a J. P., **4**. 346.
Wilson, Wm., a J. P., **5**. 657.
Wilson, Wm., allowance to, **20**. 61.
Wilson, Wm., army rank, **16**. 1190.
Wilson, Wm., army rank, **16**. 1190.
Wilson, Wm., boundary coms'r, **23**. 629.
Wilson, Wm., captain, **22**. 133, 134.
Wilson, Wm., claim allowed, **17**. 347.
Wilson, Wm., coms'r of Newbern, **23**. 142.
Wilson, Wm., in militia, **22**. 394.
Wilson, Wm., in militia, **22**. 451.
Wilson, Wm., juror, **4**. 516.
Wilson, Wm., juror, **4**. 521.
Wilson, Wm., juror, **4**. 525.
Wilson, Wm., land grant to, **4**. 588.
patent to, **5**. 829.
Wilson, Wm., militia captain, **24**. 197.
Wilson, Wm., petitions for division of Orange Co., **9**. 809-810.
Wilson, Wm., petitions on land grants, **9**. 1260-1262; **11**. 250-253.
Wilson, William, petition on separation, **22**. 705-8.
Wilson, William, petition on separation, **22**. 705-11.
Wilson, Wm., quit rents of, **22**. 258.
Wilson, Wm., resigns as quartermaster, **11**. 788.
Wilson, Wm., tax collector, **19**. 706.
Wilson, Willis, capt. of the Caswell, **13**. 694.
Caswell to on the Caswell, **13**. 181, 182.
guns to be delivered to, **13**. 311.
in Va., **13**. 326.
needs money for the Caswell, **13**. 175-176, 217.
resolve in favor of, **12**. 584, 687-8, 690.
to Caswell on enlisting men for the Caswell, **13**. 2-3; on affairs of the Caswell, and answer, **13**. 132-134, 138-139, 171-172, 202.
to Ellis on supplies for the Caswell, **13**. 174.
Wilson, Willis, pensioner, **22**. 92.
Wilson, Willis, prisoner, **16**. 673.
Wilson, Mrs. Willis, **13**. 202.
Wilson, Zacheus, coms'r on pub. buildings, **24**. 701.
in conv. 1788, **22**. 8, 26, 27, 31, 32, 35.
in conv. 1789, **22**. 37, 46, 49.
in Prov. Cong., **10**. 914, 916, 960; on com. Prov. Cong., **10**. 950.
instructions to as delegate to Prov. Cong., **10**. 870*a*-870*f*.
Wilson, Zacheus, lieut., **10**. 937.
Wilson, Zacheus, Sr., and Mecklenburg Declaration, **9**. 1263-5.
Wilson Co., **8**. ix.
riots in, **5**. lix.
Wilsone, Stephen, petition, **19**. 935.
Wilthong, Geo., building coms'r, **24**. 150.
Wilton, Mr., **8**. 74.

Wilton, Angelica, petition of, **18.** 31-32, 34, 174-175, 187, 264, 415.
Wilton, Jas., army rank, **16.** 1193.
Wilton, Wm., memorial on school, **7.** 35-36.
Wilton, Wm., port coms'r, **23.** 667.
Wilton, Va., **17.** 1030.
Wiltshire, England, **3.** 35; **4.** 656; **5.** 772, 773; **11.** 89.
Wily. See Wiley, Willey, Wyley.
Wily, Wm., petitions, **19.** 932.
Wimberly, Ezekiel, petitions for Windsor as C. H., **9.** 804-806.
Wimberly, George, land grant to, **4.** 635.
juror, **4.** 524.
Wimberly, Jos., act for town on lands of, **25.** 248-9.
bill for town on land of, **4.** 1325, 1326, 1329, 1342, 1343, 1344, 1345, 1346.
juror, **4.** 523.
land grants asked for, **4.** 631; to, **4.** 631, 634.
rights proved. **4.** 634.
Wimberly, Malachi, in militia, **22.** 333.
Wimberly, act to incorporate, **25.** 248-9.
Wimberty, Josiah, army pay, **17.** 259.
Wimble, James, asks for lapse patent, **2.** 494.
sends map to Bp. of London, **4.** 245.
Wimms, Maj., captured, **14.** 467.
See also Winns.
Wims, John, land grant to, **4.** 444.
Winacone Creek, **2.** 355.
Winberry, John, juror, **1.** 588, 589, 590.
Winberry, John, quit rents of, **22.** 251.
Winberry, Wm., juror, **1.** 588.
Winbery, Geo., in militia, **22.** 350.
Winbery, Wm., in militia, **22.** 346.
Winbery, Wm., in militia, **22.** 347.
Winborn, John, pensioner, **22.** 90.
Winborn, Henry, in assembly, **6.** 858, 916, 925.
Winborn, Jno., army rank, **16.** 1193.
Winborne, Henry, army rank, **16.** 1185.
Winborne, Henry, oath on salary, **22.** 835-6.
Winborne, Wm., vestryman, **23.** 499.
Winburn, Henry, in army, **15.** 732.
Winburn, Jno., army rank, **16.** 1185.
lieut., **10.** 944.
Winburn, Philip, army pay, **17.** 257.
Winburne, Zach., army rank, **16.** 1190.
Winbury, John, army pay, **17.** 260.
Winbury, John, attorney, **1.** 609, 610.
Winbury, John, juror, **4.** 519.
Winbury, Wm., juror, **4.** 519.
quit rents of, **22.** 251.
Winchester. See Wynchester.
Winchester, Arthur, resists impressment, **2.** 56.
Winchester, Daniel, army pay, **17.** 260.
Winchester, James, boundary coms'r, **24.** 827.
in conv. 1788, **22.** 3, 5, 25, 28, 29, 32.
Winchester (Va.?), **15.** 536.
Winchester, Va., **4.** xxi; **5.** xiv, xv, xviii, xxx, 125, 130, 132, 135, 144*c*, 370, 372, 430, 433, 561, 578, 606, 675, 1147, 1167, 1197, 1201; **8.** 606; **22.** 572.
arms at, **5.** 411.
British prisoners sent to, **15.** 657.
French barbarities at, **5.** 577, 578.
troops at, **14.** 670; from, **14.** 687; to march to, **5.** 934.
Winchester (parole), **8.** 595.
Wincoak, Chas., army pay, **17.** 258.
Wincoak, John, army pay, **17.** 259.
Wind Mill Point, Va., **14.** 688.
Wind mills, act to encourage building of, **2.** 206-207.
patent for asked, **17.** 378.
Winder, ——, prisoner, **16.** 671.
Winder, Wm., coms'r to settle accounts with U. S., **21.** 440, 446, 449, 451, 455, 480, 481, 513, 514, 517, 526, 538, 539, 549, 553, 570, 572.
extract from claims submitted to, **22.** 1012-13.
to Johnston on N. C. accounts with U. S., **20.**.792; on settling accounts with U. S., and answer, **21.** 438-439, 440, 445-446, 447, 450, 451, 452.
Windfield. See Winfield.
Windham, Jno., army rank, **16.** 1187.
Windley, Moses, juror, **8.** 509.
Windley, Thomas, juror, **8.** 509.
Windley, Wm., juror, **25.** 190.
Windom, John, army pay, **17.** 260.
Windom, Joshua, army pay, **17.** 259.
Windor, Maj., **15.** 614.
Windows, John, land grant to, **4.** 851, 892, 1045.
Windrick, John, recommended, **20.** 192, 199, 236, 377, 418-19, 425.
Winds, Gen., raises militia, **13.** 237.
See also Winn.
Windslow. See Winslow.
Windslow, Silvester, army rank, **16.** 1184.

Windsor, **11.** 633; **15.** 600; **22.** 111, 112, 552, 554, 592.
act for public buildings in, &c., **23.** 958-9; **24.** 496; to establish, **23.** 755-6; to regulate, **24.** 840-4; to save lots in, **24.** 19, 296.
bill for public buildings, **16**, 48, 52, 74, 76, 100; **19.** 44, 66; for tobacco inspection in, **17.** 317, 321, 325, 343, 363, 367; **20.** 36, 58; to enlarge time for saving lots in, **9.** 720, 722, 728, 765, 770, 775, 777, 784, 840, 844, 851, 861, 889, 895, 899, 908, 909, 910, 927, 1011; **13.** 876, 884, 887, 945, 954, 974, 977; for selling lots in, **12.** 51, 55, 86, 88, 93, 112; to regulate, **18.** 38, 45, 275; **20.** 163, 345.
petition to make it the C. H., **9.** 804-6.
subscriptions for D. S. Canal taken in, **25.** 83.
tobacco inspection in, **23.** 792; **24.** 771-2.
Windsor Castle, **11.** 6.
Windsor chairs, **22.** 881, 883, 888.
Windward Islands, **19.** 253.
Bretigny's address, **16.** 778-779.
government, **1.** 225.
Windward Passage, **5.** 597, 598.
Windy Cove Church, **5.** 1221.
Wine, John, army pay, **17.** 260.
Winecoff, John Michel, petition, **21.** 216, 223.
Winecoff, Michael, **8.** 780.
Wineham, Richard, regulator, **7.** 736.
Wineman, Casper, in militia, **22.** 422.
Winenfelts, Lt. Col., field officer, **12.** 507.
Wineoak, British destroy stores at, **15.** 560.
Wineoak (Wine Oak) Ferry, **15.** 629.
Wineocock, Herman, tried by court martial, **12.** 458-9.
Wines, Abner, army pay, **17.** 260.
Wines, favorite in N. C., **9.** 612.
fitness of soil and climate for, **2.** 792, 794.
importance of, **1.** 101.
imported, **13.** 378; into Pa., **1.** 468.
may be imported direct, **1.** 501.
production of, **5.** xli-xlii.
raised in N. C., **4.** 919.
report on, **4.** 6, 16.
trade in, **5.** xlii-xliii, 317, 319; **6.** 611; discussed, **5.** 322.
wanted by Maclaine, **16.** 948.
Winfield, Mr., Baptist preacher, **5.** 1166.
Winfield, Lt. Col., field officer, **12.** 541.
Winfield (Windfield), act to move co. ct. from, **24.** 630-1.
bill for town at and court to be held at, **18.** 38, 271, 284; **20.** 167, 172, 343; to change C. H. from, **19.** 426, 561, 565, 568, 574, 591, 660, 740, 759, 806.
inspection at, **24.** 581; tobacco inspection at, **23.** 641, 792.
Winfree, Jacob, in militia, **22.** 163.
Winfree, James, in militia, **22.** 163.
Winfree, James, takes oath, **22.** 178.
Winfree, John, in militia, **22.** 163.
Wingate, Col., **14.** 140, 148.
Wingate, Ed., in militia, **22.** 280.
Wingate, Edward, a J. P., **6.** 1070.
land grant to, **4.** 602, 603.
rights proved, **4.** 598.
Wingate, Edward, a J. P., **23.** 993.
boundary coms'r, **24.** 148.
building coms'r, **24.** 248.
captain, **10.** 622.
major, **22.** 921.
Wingate, Edward, discharged by court, **2.** 554.
juror, **2.** 366, 398, 435, 436, 437, 439, 440, 464, 466, 467, 473, 477, 548, 596.
surety, **2.** 469.
Wingate, Ed., Jr., in militia, **22.** 280.
Wingate, Isaac, town trustee, **24.** 614.
Wingate, Jno., in militia, **22.** 280.
Wingate, Mary, quit rents of, **22.** 258.
Winget, Wm., in militia, **15.** 400.
Wingfield, Mr., **9.** 611.
Wingod, Thos., estate of administered on, **1.** 449.
Winham, Wm., in militia, **22.** 325.
Wininghamm, James, in militia, **22.** 161.
Wininghamm, James, pensioner, **22.** 91.
Wininghamm, Sherwood, in militia, **22.** 161.
Wininight, James, surveys land, **4.** 851.
Winkfield, Richard, asks for land patent, **2.** 391.
Winkle, **15.** 515.
Winkler, John, excluded from pardon as regulator, **8.** 613, 618.
Winkler, Thomas, fine remitted, **10.** 3.
Winley, Jas., army rank, **16.** 1191.
Winley, Robert, land grant to, **1.** 302-303.
Winley's Plantation, **1.** 413.
Winn. See Wimms, Winds, Winns, Wynn, Wynns, etc.

Winn, Ed., juror, **25**. 190.
Winn, John, bill for his land to be sold, **21**. 802, 833, 969, 971, 1002.
Winn, Joseph, land grant to, **4**. 712, 765.
Winn, Matthew, juror, **1**. 567.
law suit, **1**. 583, 584, 586, 588, 589, 590.
pays witness, **1**. 591.
sells, **1**. 588.
Winn, Richard, supt. so. Indians, **21**. 544.
to Johnston on Indian affairs, and answer, **21**. 490, 493, 502-503, 509, 520, 568-570.
Winn, Thos., juror, **25**. 186.
road overseer, **2**. 448.
Winning, Hannah, land grant to, **4**. 217.
Winning, John, land grant to, **4**. 59.
Winnom, Obediah, army pay, **17**. 257.
in army, **15**. 735.
Winns. See Winn, Wynn, Wynns.
Winns (Winn, Wynn, Wynns), George, **2**. 358.
a J. P., **2**. 526, 540, 565, 570, 607; **3**. 223; **4**. 46.
in assembly, **3**. 260, 275, 285, 293, 313, 545, 562, 578, 612, 635; **4**. 97, 115, 120.
juror, **2**. 596, 821.
vestryman, **25**. 210.
Winns (Wynn), John, in assembly, **3**. 286.
juror, **4**. 522.
land grant to, **4**. 588, 801.
Winns (Wynn), Joseph, juror, **4**. 522.
land grant to, **4**. 712, 765.
Winnsborough, S. C., **15**. 298, 302, 303, 310; **17**. 979, 980, 991, 996; **19**. 959, 969; **21**. 490, 502, 509, 569; **22**. 123.
Cornwallis at, **14**. 742, 743, 765; **15**. 174.
Winright, Mr., reports on action of governor in matter of powder money, **4**. 402.
Winright (Wineright, Winewright), James, a J. P., **4**. 712.
bond produced, **3**. 593.
chairman committee of the whole, **2**. 612.
claims, **4**. 149.
enters caveat, **2**. 564.
in assem., **2**. 575, 576, 608, 623.
juror, **2**. 552.
land grant to, **4**. 632.
land lapses, **2**. 524.
makes wrong entry of land, **2**. 379.
provost marshal, **2**. 535.
reports as chairman com. on grievances, **2**. 615.
shows plat of land, **2**. 328.
testifies for Bailey, **2**. 581.
to help make out accounts of Richardson, **2**. 565.
treasurer, **4**. 404.
witness, **2**. 648, 653; **3**. 406-407.
Winright, Jos., messenger to council, **2**. 609.
Winsboro (Williamsboro?), **26**. 1285.
Winsley, Benj., in militia, **22**. 398.
Winsley, Jos., land grant to, **4**. 628.
Winsley, Moses, in assem., **19**. 379.
Winsley, Moses, juror, **10**. 2, 3.
Winsley, Moses, in militia, **22**. 398.
Winslo, Thos., proves freedom, **1**. 566.
Winslow. See Windslow.
Winslow, ——, **20**. 603.
Winslow, ——, Nash to on magazine, &c., **15**. 68.
Winslow, Mr., **16**. 591, 996; **17**. 124, 126, 127, 130.
Winslow, Mr., prisoner, **22**. 570.
Winslow, Capt., **15**. 781.
Winslow, Maj., **12**. 526.
field officer, **12**. 517.
Winslow, Caleb, deposition, **20**. 296.
Winslow, Edward, act for him to receive tobacco, **24**. 629.
bill for him to receive storage for tobacco, **19**. 576, 591, 592, 599, 660.
cannon to, **20**. 601.
in assembly, **16**. 1, 26, 37; **17**. 715, 740; **18**. 20, 125, 146, 226, 228, 231, 250, 257, 311, 312, 317, 322, 334, 344, 345, 346, 349, 350, 360, 361, 362, 368, 376, 412, 429, 462, 471, 476, 478; **19**. 16, 20, 59, 169, 178, 190, 194, 218, 227, 254, 258, 273, 276, 282, 283, 286, 294, 295, 299, 303, 313, 319, 321, 325, 335, 352, 353, 354, 358, 361, 362, 363, 383, 387, 390, 513, 536, 548, 554, 562, 578, 584, 588, 607, 613, 614, 616, 624, 633, 636, 637, 639, 643, 645, 647, 671, 675, 676, 679, 688.
nom. for C. of S., **19**. 466, 809.
officer, **18**. 449.
on com. of assembly, **16**. 39, 43, 44, 93, 96, 125; **17**. 638, 647, 686, 722, 727, 731, 755, 767; **18**. 46, 98, 112, 230, 235, 283, 325, 341, 442.
order to for powder, **10**. 602.

recommended as commissary, **11**. 535.
Smith to on disarming tories, **11**. 540-1.
to Nash on Cumberland militia, **15**. 79-80.
Winslow, Edward, discharged from Prov. Cong., **10**. 521.
Winslow, Henry, resurvey granted to, **4**. 589.
Winslow, James, land grant to, **4**. 588.
Winslow, John, act to inspect tobacco at warehouse of, **25**. 104.
bill on warehouse of, **21**. 767, 783, 803, 919, 922, 940, 943, 967.
Winslow (Winsloe), John, resists impressment, **2**. 56.
Winslow, Joseph, juror and trader, **1**. 274.
Winslow, Joshua, allowance to, **17**. 424; **23**. 114, 115.
Winslow, Joshua, clerk, **18**. 6, 104, 231, 332.
Winslow (Winsley), Moses, a J. P., **8**. 27; **23**. 994.
chm. Rowan S. C., **10**. 134.
in assembly, **12**. 817, 872, 879; **13**. 625, 659, 697, 709, 712, 721, 914, 966, 975, 982, 988, 1000; **12**. 768, 787, 823, 824, 840; **13**. 558, 658, 711, 831, 845, 916, 935.
in Prov. Cong., **9**. xxxi, 1026, 1042, 1049; **10**. 166, 167, 172.
on Rowan S. C., **10**. 279, 310, 432, 434.
to seize ammunition of Work, **10**. 312.
Winslow (Wenslow, Wenslowe), Thos., ordered to court, **1**. 625.
road overseer, **1**. 619.
witness, **1**. 650.
Winslow, Thos., quit rents of, **22**. 254.
Winslow, Thos., quit rents of, **22**. 254.
Winslow, Thos., quit rents of, **22**. 254.
Winslow, Thos., Jr., quit rents of, **22**. 254.
Winslow, Thos., Sr., quit rents of, **22**. 254.
Winslow, Timothy, land grant to, **4**. 649.
Winslow (Wensloe), Timothy, witness, **1**. 650.
Winstell, Thos., army pay, **17**. 258.
Winston, ——, in assembly, **13**. 690.
Winston, Benjamin, army pay, **17**. 258.
Winston, Edmd., to Martin (A.) on Cumberland boundary, **22**. 783.
to Burke on Bladen tories, **22**. 549-50.
Winston, James, asks for new county, **9**. 91.
Winston, John, navigation coms'r, **25**. 98.
Winston, John, tried for Sabbath breaking, **2**. 411.
Winston, Joseph, **22**. 100.
a J. P., **23**. 994.
and King's Mtn., **15**. 135, 164.
goes against Cherokees, **11**. xvi.
in assembly, **12**. 328, 333, 334, 368, 380, 399, 408, 430, 442; **16**. 50; **19**. 83, 144, 157, 373, 375; **20**. 123, 124, 143, 277, 302, 303, 305, 306, 319, 321, 347, 369, 372, 378, 380, 390, 426, 427, 434, 437, 455, 473; **21**. 198, 235, 343, 370, 577, 586, 597, 598, 606, 671, 679, 780, 690, 694, 696, 697, 769, 781, 783, 789, 802, 806, 812, 815, 818, 819, 839, 846, 851, 852, 860, 867, 868, 954, 980, 987.
in Cherokee campaign, **10**. 883.
in conv. 1788; **22**. 3, 5, 25, 27, 30, 32, 35.
in conv. 1789, **22**. 38, 47, 48.
in militia, **22**. 160.
in Prov. Con., **10**. 166, 168, 173, 513, 523.
instructions to on Cherokee boundary, **15**. 704.
major, **10**. 206, 532.
memorial, **19**. 615, 708.
nom. for C. of State, **16**. 90; **19**. 57; **21**. 386, 390, 703, 704.
on com. of assem., **15**. 57, 94.
on Surry S. C., **10**. 251, 255.
ranger, **10**. 690.
recruiting officer, **22**. 929.
school trustee, **24**. 690.
thanked for Kings Mtn., and sword to, **17**. 696-697, 704, 710, 739, 783.
to Gates on troops for Kings Mtn., **14**. 663-664.
to hold Cherokee treaty, **13**. 77, 203; **22**. 760, 918.
Winston, Jos., in militia, **22**. 394.
Winston, Joshua, allowance to, **20**. 111, 114, 115.
Winston, Wm., in militia, **22**. 372.
Winston, 11. 664.
Winstoon, 19. 990.
Winter, Mr., 16. 996, 1001; **17**. 123.
Winter, Mrs., 16. 1001.
Winter, Daniel, regulator, **7**. 736.

Winter, John, petitions on need of money, **7.** 866-867.
Winter, Joseph, petitions on need of money, **7.** 866-7.
Winter Hill, **9.** 1231, 1232.
Winterberger, Henry, petition on separation, **22.** 705-11.
Winterberger, Jos., petition on separation, **22.** 705-11.
Winterberger, Sam'l, petition on separation, **22.** 705-11.
Winters, ——, gives up Indian, **15.** 705.
Winters, Caleb, act for land to, **24.** 630.
Winters, Caleb, land grant to, **19.** 573.
Winters, Moses, act for land to, **24.** 629-30.
army rank, **16.** 1191.
land grant to, **19.** 572.
Winters, Thomas, army pay, **17.** 257.
Winthrop, J., petitions King, **1.** 470-471.
Winthrop, John F., Gov. of Conn., **1.** 530.
Winton (Wynton), **15.** 138, 143, 483, 635; **16.** 595, 641, 642; **19.** 886; **22.** 145.
act to establish, **23.** 773-5; to save lots in, **24.** 296.
bill to empower coms'rs to leave lot, **17.** 318, 321; to extend time to save lots in, **13.** 876, 884, 887, 945, 954, 974, 977.
report on supplies furnished army, **16.** 484-486.
tobacco inspection in, **23.** 792.
troops at, **15.** 475; from, **16.** 942; to rendezvous at, **24.** 415.
vessel built at, **15.** 667.
Winyan, **5.** 149.
Winyard, Col., **15.** 754.
Winyaw (Win Yaw), countersign, **8.** 588.
Winyaw (Wynyaw), S. C., **5.** 355, 357, 609, 611; **11.** 11, 834.
and S. C. line, **6.** 1024; **7.** 155.
number of settlers at, **4.** 258.
planters of desire to be in N. C., **6.** 1038.
quit rents collected at, **4.** 207.
to go to N. C., **6.** 778.
Winyaw (Wyneaw) Bay, **11.** 20, 21, 22; **15.** 381.
and S. C. boundary, **5.** 373, 380.
Winyaw (Wineaus) Indians, persuaded to join against whites, **2.** 251.
Winyaw River, **6.** 608, 611; **11.** 11.
and S. C. boundary, **5.** 384, 386.
proposed settlement on discussed, **4.** 258-9.
Winyaw (Wineaus) settlement, **2.** 252.
Wires, Abraham, army pay, **17.** 257.
Wisconsin, **11.** iv.
government, **20.** 740, 746.
Wise, ——, suits against estate of, **15.** 674.
Wise, Daniel, takes oath, **22.** 503.
Wise, Frederick, pardon recommended, **14.** 340; **22.** 959.
Wise, Howell, takes oath, **22.** 169.
Wise, Jas., gun impressed, **22.** 414.
Wise, Jesse, army rank, **16.** 1189.
Wise, Jno., army rank, **16.** 1183.
Wise, Jno., army rank, **16.** 1185.
Wise, John, enters caveat, **5.** 993.
Wise, John, pensioner, **22.** 90.
Wise, Matthew, helps arrest Brimage, **11.** 556.
Wise, Sam'l, curses Williams, **10.** 126.
leads public meeting, **10.** 125.
Wise, Samuel, note of due, **17.** 129.
Wiseheart, Wm., army rank, **16.** 1186.
Wiset, Jas., army rank, **16.** 1187.
Wishart Mill, Br. at, **22.** 541.
Wissenbach Reg't, **15.** 255.
Witby. See Whedbee.
Witby, Deborah, petition, **1.** 605.
Witgreaves, ——, clerk Newbern S. C., **10.** 66 (error for Sitgreaves?)
Witherington. See Withrington.
Witherington, Dan'l, pensioner, **22.** 91.
Witherington, Jacob, army pay, **17.** 258.
Witherington, Jesse, army pay, **17.** 258.
Witherington, Jos., army rank, **16.** 1185.
in army, **15.** 732.
Witherington, Solomon, pensioner, **22.** 90.
Witherington, W., army pay, **17.** 257.
Witherington, Wm., army rank, **16.** 1184.
pensioner, **22.** 90.
Withers, ——, **17.** 171, 534.
Withers, Capt., **17.** 150, 156, 157.
Withers, Charles, prisoner, **15.** 169.
Withers, Thos., petition, **21.** 219, 232, 272, 283, 435, 595, 630.
Witherspoon, ——, brigade major, **12.** 466.
Witherspoon, Maj., **12.** 458.
Witherspoon, David, church warden, **25.** 35.

in assembly, **21**. 763, 770, 779, 784, 797, 842, 908, 913, 920, 926, 930, 931, 932, 937, 939, 941, 946, 958, 965, 980, 999, 1003, 1005, 1012, 1013, 1015, 1016, 1021, 1031, 1032, 1049, 1055, 1082.
Witherspoon, James, memorial, **20**. 549, 589; **21**. 100, 107, 151, 177.
Witherspoon, John, asks for new county, **9**. 92.
co. coms'r, **24**. 178.
gives certificate to Davie, **10**. 870.
Witherspoon, John, petition in behalf of, **17**. 938, 944.
Witherspoon (Weatherspoon), Dr. John, debates in C. C., **11**. 385.
Witherspoon, Wm., pensioner, **22**. 91.
Witherspoon's Sermons, sent to N. C., **10**. 756.
Witherst, Sam., in militia, **22**. 267.
Withrington. See Witherington.
Withrington, Wm., in army, **15**. 730.
Withrow, James, in assembly, **17**. 878, 879, 936, 947, 948, 953, 963; **18**. 227, 228, 257, 311, 312, 317, 338, 345, 346; **19**. 391, 397, 398, 504, 613, 614, 622, 624, 643, 714, 756, 773, 794, 804, 808, 822, 824, 827, 835; **20**. 142, 165, 168, 230, 239, 240, 246, 276, 287, 288, 344, 536; **21**. 8, 47, 52, 66, 68, 74, 77, 84, 109, 115, 121, 130, 133, 160, 168, 179, 191, 747, 791, 872, 873, 894, 930, 941, 946, 954.
money from, **21**. 1064.
on com. of assem., **18**. 9, 15, 237, 243.
owes State, **21**. 948, 1051, 1052, 1077.
pensioner, **22**. 90.
petition, **19**. 524, 629, 637, 639.
resolve in favor of, **21**. 395, 397, 705, 707.
Witmel. See Whitmell.
Witmel, Thos., Jr., a J. P., **4**. 46.
Witnesses, act on, **23**. 20, 261-3, 573-4; on pay, **24**. 209, 493-4.
bill on pay of, **19**. 135, 194, 281, 283, 315, 320.
discussed, **22**. 606.
in court, resolve in regard to preserving testimony of, **12**. 77, 78, 89.
in slave trials, **22**. 202-3.
paid by parties to suit, **2**. 84, 89, 90, 96-97, 103, 106, 110, 111.
provisions for, **25**. 21, 414-15.
rules of, **23**. 558-60, 698-700, 881-3, 938-9; **24**. 59-61; **25**. 282-3, 295, 444-5.
to face accused, **23**. 977.
Witt, Berge, army rank, **16**. 1193.
Witt, Elias, petition on separation, **22**. 705-8.
Witt, Nathaniel, petition on separation, **22**. 705-8.
Witt, Thomas, petition on separation, **22**. 705-8.
Witt, Thomas J., asks pardon for Pugh, **9**. 29-30.
Wittenburg, Joseph, asks for new county, **9**. 92.
Wittenburg, Wm., asks for new county, **9**. 92.
Wittock, 11. 498.
Witton, Lt., 22. 122.
Witty, Jas., army rank, **16**. 1186.
Witwell, Thos., army rank, **16**. 1192.
Wixdell, Jno., juror, **25**. 190.
Woch's Saw Creek, 14. 758.
Wococock Inlet, 1. 100.
Wococon Inlet, 1. 100.
Woddin, John, ship master, **2**. 198.
Wodle. See Waddle.
Wodle, Jacob, army rank, **16**. 1189.
Wodsworth. See Wadsworth.
Wodsworth, Wm., army pay, **17**. 257.
Wofford, Wm., petition, **18**. 80, 83, 319.
Wofort, Solomon, land grant to, **4**. 641.
Woldridge and Kelly, 24. 292.
Woleston, Lt., tory, **22**. 207.
Wolf. See Wolfe, Woolf.
Wolf, Conrod, petition on separation, **22**. 705-9.
Wolf, George Mich., land grant asked, **4**. 707.
land grant to, **4**. 349, 709.
Wolf, Lewis, pensioner, **22**. 92.
Wolf (Wolfe), Matthew, deposition on Va.'s claim to whaling rights, **2**. 397.
Wolf, Thomas, petition on separation, **22**. 705-9.
Wolf, The, Indian, **7**. 207, 209.
Wolf Island, requisition, **8**. 715.
Wolf of Keowee, makes agreement on Cherokee boundary, **7**. 469-471.
signs Cherokee treaty, **7**. 855.
Wolfe, Col., 15. 754, 759.
Wolfe, Bartho., estate appraised and administered on, **2**. 43.
Wolfe, General James, 6. 64.
Tryon compared with, **8**. 640.
Wolfe Hookonata, The, at Indian Congress, **11**. 179, 203.

Wolfe King, The, goes to Pensacola, **11**. 160, 166.
understands boundary, **11**. 195.
Wolfenden, Geo., petitions for Tyson, **16**. 580-1.
patroler, **10**. 64.
submits linen for reward, **10**. 829.
Wolfenden, John, on council, **1**. 254.
signs land grant, **1**. 271.
Wolfenden, Thos., clerk of Pitt Co. S. C., **10**. 295.
on S. C. of Pitt, **10**. 38, 61, 243.
on Pitt S. C., **10**. 295, 296, 451, 494, 499, 618, 670.
patroler, **10**. 64.
to bring suit, **10**. 499.
to sell salt, **10**. 451.
Wolgard, Wm., in militia, **22**. 356.
Wollard, Carling, reports on petition of, **13**. 616, 699, 729-730, 734.
Wollard, Sarah, appraiser, **1**. 393.
law suit, **1**. 387.
Wollaston, Ebenezer, tory officer, **22**. 196.
Wolsea, James, sells land, **2**. 377.
Wolves, 1. 827.
act to destroy, **23**. 288, 617-18, 784-5, 914-15, 971; **24**. 133-4, 749-50, 912, 958; **25**. 312, 476.
bill to destroy, **12**. 40, 41, 48.
damage by, **11**. 812-813.
regards for, **5**. 8.
Womack. See Wommack, Woommac.
Womack, Abraham, asks for new county, **9**. 89.
Womack, Abm., asks for new county, **9**. 92.
Womack, David, juror, **7**. 842.
Womack, David, asks for new county, **9**. 89.
Womack, Jacob, building coms'r, **24**. 142.
in assem., **19**. 373.
major, **10**. 998.
road coms'r, **24**. 135.
Womack, Jacob, Watauga to be annexed, **10**. 708-710.
Womack, Jacob, Watauga to be annexed, **10**. 708-10.
Womack, John, asks for new county, **9**. 89-90.
Womack, John, in assembly, **21**. 193, 195, 233, 264, 274, 294, 305, 332, 344, 347, 355, 367, 372, 379, 382, 431, 433.
in conv. 1788, **22**. 2, 4, 25, 27, 30, 31.
Womack, Wm., army record, **13**. 475.
Womack (Wommock), Wm., report of commissioners on ment'd, **12**. 56-57.
Womble, Benj., army rank, **16**. 1192.
in army, **13**. 513.
Womble, Dempsey, army rank, **16**. 1190.
Womble, Jno., army rank, **16**. 1189.
Women, Eng. acts on in force in N. C., **23**. 317, 318, 321, 323.
Women and children, petition for those of tories, **16**. 467-469.
Women convicts, to be transported, **1**. 477-8.
Wommack. See Womack, Woommac.
Wommack, John, in conv. 1789, **22**. 36, 46, 49.
Wommack, Wm., case of referred to com., **10**. 551.
Wommony, an Indian, **1**. 133.
Wontlon, James, Jr., in militia, **22**. 344.
Wood. See Woode, Woods.
Wood, Mr., 6. 595.
Wood, Mr., letter from ment'd, **6**. 69.
Wood, Mr., reports on gunpowder shipped to N. C., **5**. 650.
Wood, Capt., recommended, **15**. 510.
Wood, Capt., to collect and send on Cont. troops, **22**. 953.
Wood, Col., 12. 538; **13**. 242.
position of regt. in army, **12**. 508.
regt. of consolidated, **12**. 508.
troops of to forage, **12**. 512.
Wood, Col. (of Va.), to watch Br., **14**. 853.
Wood, Lieut., on ct. of inquiry, **11**. 811.
Wood, Maj., 15. 480.
threatens Evans, **15**. 236.
Wood, Maj., goes home, **22**. 544.
Wood, Aaron, army rank, **16**. 1188.
Wood, Aaron, camp clerk, **22**. 495.
Wood, Aaron, land grant to, **4**. 692, 1049.
Wood, Abraham, in militia, **17**. 1061.
Wood, Arch'd, in militia, **17**. 1042.
Wood, Augustin, in assembly, **17**. 276, 300, 303, 305, 317, 355, 359, 364, 365, 366, 368, 376.
Wood, Benj., in militia, **22**. 332.
Wood, Ben., juror, **25**. 189.
Wood, Bennet (Bennett), army rank, **16**. 1193.
captain, **10**. 944, 949.
declines to act as capt., **10**. 965.
recruiting officer, **22**. 928.

Wood, Chas., army rank, **16**. 1184.
in army, **15**. 729.
pensioner, **22**. 89.
Wood, Ed., in militia, **22**. 340.
Wood, Ewd., army rank, **16**. 1187.
Wood, Edwd., petitions, **19**. 934.
Wood, Frame, in conv. 1788, **22**. 1.
Wood, Harrison, petitions, **19**. 934.
Wood, Henry, in Indian war, **10**. 759.
Wood, Henry, juror, **4**. 522.
Wood, Isaac, army pay, **17**. 256.
army rank, **16**. 1191.
Wood, Isham, army pay, **17**. 257.
Wood, J., receives pay for soldiers, **17**. 256.
Wood, Jas., army rank, **16**. 1193.
Wood, James, asks for lapse patent, **2**. 486, 489.
juror, **2**. 686; **4**. 523; **25**. 189.
Wood, James, petitions on land grants, **9**. 1260-3; **11**. 250-2.
Wood, James, pres. of courtmartial, **12**. 480.
Wood, Jas., quit rents of, **22**. 243.
Wood, James, town coms'r, **25**. 34.
Wood, Jesse, army rank, **16**. 1189.
Wood, John, army pay, **17**. 257.
Wood, Jno., army rank, **16**. 1180.
Wood, Jno., army rank, **16**. 1183.
Wood, Jno., army rank, **16**. 1189.
Wood, Jno., army rank, **16**. 1190.
Wood, Jno., army rank, **16**. 1190.
Wood, John, asks pardon for Fruit, **9**. 93-94.
Wood, John, asks pardon for Welborn, **9**. 26-7.
Wood, John, deputy sheriff, and regulator, **7**. 763-4.
protests against regulators, **8**. 273-274.
takes illegal fees, **7**. 774, 775, 776, 779, 781.
Wood, John, in army, **13**. 518.
Wood, John, in army, **15**. 720.
Wood, John, in militia, **9**. 1076.
Wood, Jno., in militia, **22**. 310.
Wood, Jno., in militia, **22**. 377.
Wood, John, land grants to, **4**. 636-637.
Wood, John, lieut., **10**. 637.
Wood, John, petitions on land grants, **9**. 1260-1262; **11**. 250-252.
Wood, John, petitions on land grants, **9**. 1260-1262; **11**. 250-252.
Wood, John, takes oath, **22**. 168.
Wood, John, takes oath, **22**. 177.
Wood (Woods), John, testifies on plundering of troops, **14**. 603.
Wood, John, wagonmaster, **15**. 493, 494.
Wood, Jonas, a volunteer, **14**. 839.
Wood, Jonas, in militia, **22**. 271.
Wood, Joseph, a J. P., **23**. 995; suspended as J. P., **19**. 59.
Wood, Joseph, army pay, **17**. 257.
army rank, **16**. 1189.
Wood, Joseph, asks leave to sell effects of Martin, **10**. 505, 511.
Wood, Jos., petition for, **19**. 160, 162, 171, 174, 280, 291.
Wood, Joseph, sheriff, **21**. 1076.
Wood, Joseph, Jr., importer, **10**. 511.
Wood, Joshua T., in jail, **22**. 405.
Wood, Josiah, exempted, **7**. 583.
Wood, Mattw., army rank, **16**. 1181.
in N. C. brigade, **13**. 427.
lieut., **10**. 517.
rank settled and elects Q. M., **15**. 700.
recommended for promotion, **11**. 716.
recommends Wilson, **11**. 717.
to collect troops and march to Kinston, **13**. 572, 574.
Wood, Michael, allowed to resign as J. P., **13**. 849, 939.
Wood, Moses, petitions on county bounds, **9**. 633-635; on land grants, **9**. 1260-1262; **11**. 250-252.
Wood, Nathan, army pay, **17**. 259.
Wood, Nathaniel, army pay, **17**. 259.
Wood, Nathaniel, regulator, **7**. 808.
Wood, Payton, takes oath, **22**. 170.
Wood, Pennel, in militia, **22**. 371.
Wood, Reuben, in conv. 1789, **22**. 38, 47, 48.
nom. for attorney, **20**. 592; **21**. 183.
Wood, Richard, juror, **4**. 517.
Wood, Rich'd, petition on separation, **22**. 705-10.
Wood, Rich'd, takes oath, **22**. 169.
Wood, Rich'd, takes oath, **22**. 169.
Wood, Robert, refuses to take oath, **8**. 634.
Wood, Sampson, army rank, **16**. 1190.
pensioner, **22**. 90.
Wood, Sampson, land grant to, **4**. 217.
Wood, Sam'l, **19**. 196, 201, 204, 324, 331.
Wood, Samuel, army pay, **17**. 259.
Wood, Samuel, in Leg. of Transylvania, **9**. 1267.
Wood, Samuel, opposes acts, **4**. 612.
Wood, Solomon, declines to serve as lieut., **11**. 443; **22**. 912.
lieutenant, **10**. 944.
list of company of, **15**. 509-510.

Wood, Sol., land grant to, **4**. 344.
Wood, Stephen, pensioner, **22**. 92.
Wood, Stephen, town coms'r, **25**. 112.
Wood, Thos., army rank, **16**. 1189.
Wood, Thos., in militia, **22**. 332.
Wood, Thomas, petitions for repeal of tax on free negroes, **6**. 982-983.
Wood, Thomas, petitions on county bounds, **9**. 633-5.
Wood, Thos., petition on separation, **22**. 705-11.
Wood, Titus, army pay, **17**. 258.
Wood, Wm., buys land, **21**. 1053.
Wood, Wm., claims allowed, **10**. 695; **12**. 96, 97.
Wood, Wm., in assembly, **18**. 226, 228, 241, 242, 257, 265, 284, 292, 297, 311, 312, 317, 344, 346, 350, 357, 360, 361, 362, 370, 376, 389, 399, 412, 428, 440, 443, 444, 468, 469, 471; **20**. 119, 121, 156, 164, 165, 167, 179, 229, 238, 239, 275, 285, 287, 288; **21**. 3, 47, 66, 68, 74, 77, 109, 115, 121, 130, 133, 154, 160, 168, 179, 193, 195, 234, 264, 279, 288, 300, 305, 328, 332, 344, 346, 367, 372, 382, 402, 411, 431, 738, 747, 871, 872, 876, 885, 894, 903, 906, 926, 927, 930, 937, 941, 946, 952, 965, 970, 980, 999, 1003, 1004, 1006, 1012, 1013, 1015, 1021, 1030, 1032, 1050, 1055.
lt. col., **20**. 272, 460.
memorial, **18**. 77, 104, 308, 313, 333, 338; **21**. 334, 342, 671, 900.
officer, **18**. 449.
Wood, Wm., in militia, **22**. 354.
Wood, Wm., in militia, **22**. 371.
Wood, Wm., in militia, **22**. 376.
Wood, Wm., in militia, **22**. 387.
Wood, Wm., juror, **25**. 189.
Wood, Wm., pensioner, **22**. 89.
Wood, Wm., pensioner, **22**. 90.
Wood, Wm., petitions on land grants, **9**. 1260-2; **11**. 250-2.
Wood, Wm., petition on separation, **22**. 705-9.
Wood, Wm., to Pownall on bad tobacco law, **6**. 10.
Wood, Willis, army rank, **16**. 1193.
Wood, Zebedee, coms'r on building, **24**. 541; on town, **24**. 987.
in assembly, **18**. 227, 228, 257, 284, 292, 298, 311, 312, 317, 344, 345, 346, 350, 357, 361, 362, 370, 376, 389, 399, 440, 469, 470, 471; **21**. 2, 4, 47, 66, 68, 74, 77, 109, 115, 121, 130, 133, 154, 160, 168, 179, 190, 197, 201, 214, 231, 234, 244, 264, 279, 288, 294, 300, 305, 328, 332, 344, 346, 367, 372, 379, 402, 411, 433.
in conv. 1788, **22**. 3, 5, 25, 28, 30, 32, 35.
in conv. 1789, **22**. 38, 47, 49.
petition on catching fish, **9**. 87-88.
Wood, act on measurement, **24**. 595.
factories for, **7**. 429.
Wood corder, act for in Newbern, **23**. 963.
provision for, **23**. 917-18.
Woodall, Jeremiah, army pay, **17**. 258.
Woodall, Robt., army pay, **17**. 260.
Woodall, Jonathan, land grant to, **4**. 641.
Woodall, Sam'l, pensioner, **22**. 91.
Woodam, Etheldred, army pay, **17**. 259.
Woodard. See Woodward.
Woodard, Benj., circulates counterfeits, **10**. 681.
Woodard, Edward, in militia, **22**. 326.
Woodard, Elisha, in militia, **22**. 282.
Woodard, George, army pay, **17**. 259.
Woodard, Henry, army pay, **17**. 261.
Woodard, Jeathrow, in militia, **22**. 332.
Woodard, John, **5**. 819.
Woodard, John, in army, **15**. 728.
Woodard, John, juror, **8**. 509, 510.
Woodard, Reben, regulator, **7**. 809.
Woodard, Rich'd, in militia, **22**. 325.
Woodard, Samuel, coms'r of Wilmington, **23**. 134, 148.
Woodard, Sam'l, in militia, **22**. 325.
Woodard, Samuel, juror, **2**. 439, 440.
Woodard, Samuel, witness, **1**. 438.
Woodard, Thomas, in militia, **22**. 282.
Woodberry's, **14**. 665.
Woodbine, James, petitions on county bounds, **9**. 633-635.
Woodbridge, N. J., **9**. 1233.
Woodburn, Thomas, asks pardon for Hunter, **9**. 86-87.
Woodbury, N. J., **9**. 1068.
Wooddill. See Woodill.
Wooddill, John, pensioner, **22**. 90.
Wooddle. See Wodle, Woodle.
Wooddle, Jacob, pay to, **22**. 490.
Woode, John, settler, **1**. 76.
Woodell, Jno., army rank, **16**. 1192.
Wooden chimneys, act against, **25**. 478.
bill to prevent building of, **6**. 128, 129, 131, 149, 163, 168, 169, 173, 174, 184, 185, 187, 189, 200.

See also under acts of incorporation of towns.
Woodert, Henry, army rank, **16.** 1190.
Woodford, Wm., **10.** 365; **12.** 457, 464, 472, 473, 496, 497, 500, 501, 507, 539, 546, 548.
a prisoner, **14.** 815.
at Charleston, **14.** 344.
at council of officers, **15.** 27-29.
at council of war, **14.** 801, 805-6, 813-14.
behavior, **10.** 382.
composition of brigade, **12.** 508.
enters Norfolk, **11.** 353.
field officer, **12.** 526.
help asked from and instructed to care for Highlanders, **10.** 346.
killed at Germantown, **11.** 662.
letter on refugees considered, **10.** 380-381.
on court of inquiry, **12.** 544.
position of brigade, **12.** 509.
reports on troops, **10.** 341.
to take Va. troops to S. C., **15.** 350, 351.
to Nash on forwarding letters, **15.** 7.
to Va. convention on Br. attack on Norfolk, **10.** 379-380.
troops of at Campbelton, **15.** 363.
Woodfort, Lt., wounded, **15.** 638.
Woodhouse, ——, Jr., a J. P., **4.** 713.
Woodhouse, Lieut., letter sent by, **1.** 878.
Woodhouse, Henry, a justice, **1.** 516.
in assem., **2.** 608.
juror, **2.** 433.
Woodhouse, Henry, in militia, **17.** 1059.
Woodhouse, Henry, juror, **4.** 520.
Woodhouse, Hezekiah, in militia, **23.** 390.
Woodhouse, Horatio, land grant to, **4.** 892, 952, 1249.
resurvey granted to, **4.** 886.
Woodhouse, John, a J. P., **2.** 572; **3.** 234, 345.
abused, **2.** 598, 599.
in assem., **2.** 608, 624.
juror, **2.** 261, 596, 667.
Woodhouse, John, building coms'r, **23.** 747.
dead, **9.** 452, 558.
in assembly, **5.** 511, 513, 526, 546, 689, 921, 922, 1020, 1055, 1058; **7.** 342, 343, 366; **8.** 97, 101, 106, 110, 120, 132, 145, 301, 303, 304, 324, 326, 341, 422, 444, 446, 454; **9.** 136, 139, 194, 223, 447.
in militia, **9.** 58.
inspector, **6.** 109.
juror, **4.** 519.
on com. of assem., **8.** 111, 118.
ordered to bring troops to Newbern, **8.** 703.
to account for moneys, **23.** 593.
to be made capt., **5.** 162.
Woodhouse, John, allowance to, **22.** 815, 817.
Woodhouse, John, ensign, **10.** 188.
Woodhouse, Jno., in militia, **22.** 310, 314.
Woodhouse, John, navigation coms'r, **25.** 460.
Woodhouse, John, report on militia co., **22.** 390-2.
Woodhouse, Wm., settler, **1.** 76.
Woodill. See Wooddill.
Woodill, Jacob, pay to, **22.** 490.
Woodington (for Newington), **14.** 96.
Woodland, Daniel, army pay, **17.** 260.
Woodland, Jas., in militia, **22.** 266.
Woodland, John, army pay, **17.** 260.
Woodland, Robt., army pay, **17.** 260.
Woodle. See Wodle, Wooddle.
Woodle, Jereh., army rank, **16.** 1190.
Woodle, Jos., army rank, **16.** 1190.
Woodley. See Woodly.
Woodley, George, army pay, **17.** 256.
Woodley, Hezekiah, in militia, **17.** 1054.
Woodley, John, appraiser, **2.** 103.
Woodley, Thos., army pay, **17.** 260.
army rank, **16.** 1187.
Woodley, Thos., case of, **22.** 869.
Woodley, Thomas, juror, **4.** 519; **25.** 187.
quit rents of, **22.** 251.
resurvey to, **6.** 1012.
Woodley, Wm., in militia, **22.** 350.
Woodlief, Thomas, petitions for repeal of tax on free negroes, **6.** 982-983.
Woodliff, George, army pay, **17.** 257.
Woodliff, Wm., trial, **10.** 6.
Woodliffe, Augustine, army pay, **17.** 256.
Woodliffe, Geo., in militia, **22.** 370.
Woodliffe, Littlebury, in militia, **22.** 370.
Woodliffe, Thos., in militia, **22.** 370.
Woodliffe, Wm., in militia, **22.** 370.
Woodly. See Woodley.
Woodly, Geo., in militia, **22.** 379.
Woodly, Thos., in militia, **22.** 378.
Woodly, Thos., land to be resurveyed, **6.** 765.
Woodly, Wm., soldier, **18.** 797.

Woodman, Benj., counterfeiter, **11**. 320.
Woodman, Edwd., army rank, **16**. 1184.
in army, **15**. 728.
Woodman, Edwards, army pay, **17**. 256.
Woodman, Mrs. Mary, Burrington abused at house of, **2**. 566.
Woodmason, Mr., makes charges against Smith, **6**. 312-13.
to S. P. G. on N. C., **7**. 283-8.
Woodroof, Nath'l, in militia, **17**. 1042.
Woodrow, Capt., **22**. 386.
Woodrow, Alexr., asks recruiting expenses from assembly, **5**. 255, 256.
serves in French war, **5**. xi.
Woodrow, H. Edwd., army rank, **16**. 1190.
Woodrowe, Sec., complains of Sothell, **1**. 351.
Woodruff, Francis, army pay, **17**. 259.
Woodruff, Jesse, petition for pardon, **19**. 525, 527.
Woodruff, Jno., army rank, **16**. 1189.
Woods. See Wood, Woode.
Woods, ——, **17**. 123.
Woods, Lieut., **10**. 895.
Woods, Andrew, a J. P., **23**. 994.
building coms'r, **24**. 150.
Woods, David, fined, **9**. 652.
Woods, Henry, pensioner, **22**. 90.
Woods, John, **22**. 493.
in militia, **22**. 496.
Woods, John, asks pardon for Fruit, **9**. 93-94.
Woods, John, protests against regulators, **8**. 273-274.
Woods, John, town coms'r, **24**. 309.
Woods, John, witness to treaty, **18**. 802.
Woods, Josiah, exempted, **9**. 458.
Woods, Matthew, asks pardon for Fruit, **9**. 93-4.
Woods, Richard, asks pardon for Fruit, **9**. 93-94.
Woods, Richard, owes State, **21**. 1068.
Woods, Rich'd, petition on separation, **22**. 705-9.
Woods, Robt., in militia, **22**. 382.
Woods, Samuel, buys the Long Island of Holston, **10**. 911.
Woods, Wm., army rank, **16**. 1185.
Woods, Wm., army rank, **16**. 1191.
Woods, Wm., in Indian war, **10**. 759.
Woods, Wm., pensioner, **22**. 89.
Woods, Wm., Jr., deposition by ment'd, **8**. 307.
Woods, Wm., Sr., deposition by ment'd, **8**. 307.
Woods', **14**. 856.
Woods, act against burning of, **24**. 134, 460.
bill to prevent burning of, **8**. 93, 97, 103, 117, 119, 120, 126, 133, 138; **16**. 96, 98, 121, 139, 142.
Wood's Institute, **23**. 346.
Woods Plantation, **2**. 804.
Woods River, **24**. 447.
Woodside, Arch'd, pensioner, **22**. 90.
Woodside, James, dead, **15**. 759.
Woodside, Robert, voter, **15**. 238.
Woodside, Thomas, voter, **15**. 238.
Woodside, Wm., army pay, **17**. 256.
Woodside, Wm., in militia, **22**. 397.
Woodsides, Wm., pensioner, **22**. 90.
Woodson, David, allowance to, **19**. 370.
Woodson, David, coms'r on building, **24**. 240; on magazines, **13**. 683-4.
to demand powder, **10**. 136.
Woodson, Robert, to inspect provisions, **12**. 481.
Woodson, Thos., army pay, **17**. 256.
Woodstock, Hyde Co., **10**. 416, 461; **21**. 746, 750, 756, 770, 894, 900, 902, 934; **24**. 881.
act to change co. ct. from, **25**. 113-14; to incorporate, **25**. 229-30.
bill for fort at, **20**. 160, 173, 177, 180, 343, 353; to confirm town of, **7**. 303, 307, 364-365, 373; to remove C. H. from, **9**. 403, 510, 511, 514.
inspection at, **23**. 641, 792; **24**. 581; **25**. 313, 379.
Woodstock, Conn., **9**. 1230.
Woodstock Chapel, **6**. 316.
Woodus's Landing (Henry), quit rents paid at, **25**. 217.
Woodward. See Woodard.
Woodward, Abraham, arrested as loyalist, **10**. 706.
inventory demanded of and imprisoned, **10**. 761-2.
petition of referred to com. and discharged, **10**. 919, 920.
Woodward, Absalom, army pay, **17**. 259.
Woodward, Benj., jailed in Va., **10**. 737.
Woodward, Caleb, army rank, **16**. 1188.
in Davidson's co., **14**. 294.
Woodward, Davd., army rank, **16**. 1192.

Woodward, Edwd., army rank, **16**. 1192.
Woodward, Henry, appointed surveyor, **1**. 99.
letter of, **1**. xxxii.
to Sir John Yeamans on S. C. affairs, **1**. 208-9.
visits Indians, **1**. 124-5, 136.
Woodward, James, army pay, **17**. 258.
Woodward, John, army pay, **17**. 260.
army rank, **16**. 1180.
Woodward, Jourdan, pensioner, **22**. 91.
Woodward, Luke, on patrol, **10**. 25.
Woodward, Miles, army pay, **17**. 257.
Woodward, Miles, army pay, **17**. 263.
Woodward, Phill., asks aid for S. C., **2**. 196-9.
Woodward, Robert, army pay, **17**. 258.
Woodward (Woodard), Samuel, a J. P., **4**. 46, 346, 347, 447.
agreement with ment'd, **4**. 1138-1139, 1147, 1149.
attorney for Dobbs & McCulloh, **4**. 73.
collector, **4**. 648.
fees to be paid to, **4**. 665, 667, 671, 1079, 1086, 1137.
induces Johnston to deliver order, **4**. 693.
juror, **3**. 54.
land grant to, **4**. 72.
recommended for council, **4**. 418; for surveyor gen., **4**. 9.
Woodward, Sam'l, juror, **25**. 185.
Woodward, Samuel, land lapses, **2**. 378.
Woodward, Sam., quit rents of, **22**. 243.
Woodward, Sam., quit rents of, **22**. 258.
Woodward, Thos., commissioner on tobacco planting, **1**. 141-143.
on affairs of Albemarle Co., **1**. 99-101.
Woodward, Wm., in militia, **22**. 371.
Woodward's Mill, Wake Co., **15**. 612.
Woody, Robert, deposition on exorbitant fees, **7**. 774.
Woof, Henry, exempted, **7**. 953.
Woolams, Benj., in militia, **22**. 394.
Woolard, Holland, army pay, **17**. 259.
Woolard, Jesse, army pay, **17**. 258.
army rank, **16**. 1183.
Woolard, Jonathan, army pay, **17**. 259.
Woolard, Rich'd, buys land, **1**. 488.
Woolbank, John, in militia, **22**. 373.
Woolbanks, Robt., in militia, **22**. 385.
Wooldrick, Jno., in militia, **22**. 280.
Wooldrige, William, juror, **22**. 502.
Woolen cards, manufacture of encouraged, **9**. 1142; **10**. v, 217.
Woolen manufactures, promoted, **1**. 536, 541, 631-2.
Wooley, Wm., discharged, **14**. 472.
Woolf. See Wolf, Wolfe.
Woolf, John Bernard Shone, petitions for lands, **4**. 954-6.
Woolf Indians, **7**. 1006.
Woolfend, Thos., on S. C. of Pitt, **10**. 243.
Woolford, Lieut., needs clothing, **14**. 682.
Woolford, Thomas, prisoner, **16**. 671.
Woollard, Jessy, in army, **13**. 504.
Woollard, Richard, sells land, **1**. 573.
Wooloms, Benj., pay to, **22**. 485.
Woolsey, John, petition on separation, **22**. 705-13.
Woolton, Wm., petition, **20**. 511.
Woommac. See Womack, Wommack.
Woommac, Maj., **11**. 608.
Woory, Joseph, bay named for, **1**. 131.
explores, **1**. 121.
signs report, **1**. 139.
visits Indians, **1**. 124-5.
Woory Bay, named, **1**. 131.
Woosley, Wm., pensioner, **22**. 90.
Wooten. See Wootten, Wotton.
Wooten, Col., and provisions, **14**. 408.
arms to, **14**. 380.
Board of War to on provisions, **14**. 414.
salt to, **14**. 426.
Wooten, Christo., in army, **15**. 726.
Wooten, Daniel, in militia, **22**. 377.
Wooten, George, in militia, **22**. 377.
Wooten, Jas., in militia, **22**. 378.
report on militia company, **22**. 332-3.
Wooten, Jeremiah, in militia, **22**. 377.
Wooten, Jesse, army rank, **16**. 1187.
in army, **13**. 517.
Wooten, Jesse, in militia, **23**. 333.
Wooten, Joel, tailor, **15**. 620.
Wooten, Jno., in militia, **22**. 378.
Wooten, John, pension to, **12**. 611.
Wooten, John, petition of considered, **17**. 639, 643, 723.
Wooten, Shadrack, **10**. 563.
ensign, **10**. 518.
Wooten, Thos., a J. P., **23**. 995.
Wooten, Thos., army pay, **17**. 258.
petition of considered, **17**. 849, 938, 944-5.
Wooten, Thos., in assembly, **19**. 372.
Wooten, Thos., in militia, **22**. 377.
Wooten, Thos., seat in assembly vacated, **12**. 265, 337.

Wooten, Wm., **21.** 192.
Wooten (Woolton), Wm., allowance to, **13.** 909; **19.** 369; for clothing and provisions, **13.** 600, 602, 670, 677, 714.
coms'r to buy provisions, **12.** 610; **13.** 643, 770; **15.** 200.
contractor, **18.** 810.
in conv. 1788, **22.** 8, 26, 27, 31, 32.
owes State, **21.** 1068.
petitions for Windsor as C. H., **9.** 804-6.
to hold election, **10.** 946.
Wooten, Wm., land grant to, **4.** 627.
Wooters, Marclin, pensioner, **22.** 89.
Wooton, Francis, ship master, **8.** 261.
Wooton, Wm., army rank, **16.** 1181.
Wootten, Colonel, owes State, **21.** 1070.
Wootten, James, in militia, **9.** 1076.
Wootten, Jesse, in militia, **9.** 1076.
Wootten, Wm., claims, **21.** 43.
memorial, **20.** 232, 233, 271, 428, 447-448, 464; **21.** 49, 51.
Wootton, John, in militia, **17.** 1055.
Wootton, Thos., in militia, **17.** 1055.
Worcester, Bishop of, **4.** 918, 935.
Worcester, Marquis of, at Board of Trade meeting, **1.** 284.
on Bd. T. and F. P., **1.** 223.
reports against Culpepper, **1.** 275.
Worcester, Mass., **9.** 1230.
Worcester Co., Md., tories broken in, **11.** 379.
Word, Thomas, regulator, **8.** 80.
Worden, Peter, witness, **1.** 620.
Wordley, Thos., to report on lands, **2.** 484.
Wordley, Wm., **9.** 767.
Wordon, Chas., army pay, **17.** 259.
Wordsworth, Edward, land grant to, **4.** 628.
Woreley, Jno., army rank, **16.** 1187.
Worflay, James, bad man, **21.** 752.
Worflay, John, bad man, **21.** 752.
Worflay, Pitman, bad man, **21.** 752.
Worhunty, **9.** 1064.
Work, Capt., company of to elect other officers, **10.** 592-593.
to receive powder, **10.** 433.
Work, Andrew, clerk of elections, **10.** 252.
Work, James, discharged by Prov. Cong., **10.** 524.
Work, John, ammunition of to be seized, **10.** 137, 312.
captain, **10.** 320.
claims paid, **10.** 254.
collects debt, **10.** 253.
to deliver powder, **10.** 135.
Work, John, lends salt, **19.** 619.
Workeman, Arthur, witness, **1.** 438.
Workman, Peter, army rank, **16.** 1191.
Worley. See Worseley, Worsley.
Worley, Miss, slave of executed, **19.** 440.
tried, **20.** 9.
Worley, F., signs acts, **23.** 116.
Worley, Hercules, tried, **20.** 9.
Worley, Howard, in militia, **22.** 371.
Worley, John, a justice of general court, **2.** 261-5, 266, 274-275, 357-371, 403-416, 433-441, 446-448, 463-472, 478-80, 507-13, 542; **3.** 376, 423, 493-494.
a J. P., **2.** 264, 266, 526.
abused by Porter, **2.** 688.
appeal dismissed, **2.** 511.
asks for lapse patent, **2.** 501; for road, **2.** 261.
assaults Porter, **2.** 659.
discharged by court, **2.** 660.
exposes Indian scare, **2.** 311.
in council, **2.** 638-640, 664, 673-683, 724-729, 730-749, 764-768, 770-773, 817-818, 830-831; **3.** 123.
indicts Lee for libel, **2.** 263, 266-267.
juror, **2.** 556, 591, 646, 647, 653.
keeps bastard, **2.** 264, 267.
lapse patent to, **2.** 679.
payments to, **2.** 726.
pays costs for Miles, **2.** 696.
quit rents of, **22.** 246.
receives fines, **2.** 411.
road overseer, **2.** 261, 265.
slandered by Bell, **2.** 830, 833.
suit of, **2.** 691, 692.
to King on Everard, **3.** 2-5.
to teach servant to read, **2.** 266.
tried for assault on Bell, **2.** 686, 698, 708, 715, 817, 820, 824, 831.
vestryman, **2.** 208; **23.** 7; **25.** 182.
Worley, John, signs land grant, **4.** 318.
Worley, John, Jr., a J. P., **2.** 638; **4.** 47.
juror, **2.** 552, 591.
quit rents of, **22.** 246.
Worley, Joseph, petitions on county bounds, **9.** 633-634.
Worley, Joshua, juror, **2.** 591; **4.** 525.
Worley, Joshua, land grant asked, **4.** 631.
land grant to, **4.** 684.
quit rents of, **22.** 246.

rights proved, **4**. 629.
tried for assault on Bell, **2**. 686, 698, 708, 715, 817, 820, 824, 831.
Worley, Mattw., army rank, **16**. 1188.
Worley, Thos., in militia, **22**. 373.
Wormeley, Christopher, at Va. council, **1**. 357.
Worneck, Wm., army rank, **16**. 1186.
Worran, Abraham, in militia, **22**. 321.
Worrel, Alex., army pay, **17**. 259.
Worrel, Charles, dead, **17**. 407.
Worrel, John, son exempted, **6**. 407.
Worrel, John, juror, **4**. 521.
Worrel, John, Jr., exempted, **6**. 407.
Worrell, Jno., army rank, **16**. 1192.
Worrill, Richard, juror, **4**. 524.
Worsby, Stephen, juror, **8**. 509, 510.
Worseley, ——, a J. P., **2**. 570.
Worship, churches and land secured for, **23**. 986-7.
freedom of maintained, **22**. 664, 668, 669; **23**. 978.
should be provided for, **4**. 357, 358, 386.
Worsland, John, juror, **2**. 398.
Worsley. See Worley.
Worsley, ——, survey to be returned, **4**. 761.
Worsley, Bryan, army pay, **17**. 257.
army rank, **16**. 1183.
Worsley, Bryant, in army, **13**. 517, 528.
Worsley, James, a volunteer, **14**. 839.
Worsley, John, army pay, **17**. 259.
army rank, **16**. 1188.
Worsley, John, in army, **13**. 515.
Worsley, John, Irwin on discharge of, **11**. 474.
Worsley, John, juror, **25**. 189.
Worsley, John, land grant asked, **4**. 440.
land grant to, **4**. 330, 851; to be resurveyed, **4**. 802.
Worsley, John, patroler, **10**. 63.
Worsley, John, prosecutes, **21**. 1022.
Worsley (Worseley), John, whipped, **2**. 315.
Worsley, John, Jr., land grant to, **4**. 704, 761.
Worsley, Leman, army rank, **16**. 1192.
Worsley, Martin, in militia, **22**. 323.
Worsley, Martin, pay to, **22**. 495.
Worsley (Worseley), Mary, fined, **2**. 358.
put under bond, **2**. 315.
Worsley, Pompey, slave, **2**. 315.
Worsley, Simon, to Burke on needs of prisoners, **22**. 555.
Worsley, Stephen, juror, **8**. 509, 510.
Worsley (Worseley), Thos., a J. P., **2**. 638.
appraiser, **1**. 866.
asks for resurvey, **2**. 492.
daughter seized by Indians, **2**. 313.
library coms'r, **23**. 78.
put under bond, **2**. 315.
vestryman, **2**. 209; **23**. 7.
Worsley, Thos., army pay, **17**. 261.
army rank, **16**. 1188.
pensioner, **22**. 90.
Worsley, Thos., in militia, **17**. 1057.
Worsley, Thos., juror, **25**. 189.
Worsley, Thos., land grant to, **4**. 330.
Worsley, Thos., Jr., a J. P., **3**. 244, 251, 252.
juror, **25**. 189.
Worsly, Jno., in militia, **22**. 318.
Worsly, Jno., in militia, **22**. 421.
Worth, Dr., **16**. 517.
Worth, Daniel, petition on C. H., **9**. 806-808.
Worth, Edward, prisoner, **15**. 392.
Worth, John, land grant to, **4**. 57.
surveys lands, **3**. 618.
Worth, Jos., army record, **13**. 480.
Worth, Joseph, ensign, **10**. 287.
Worth, Jos., in attack on Pollock, **10**. 1032.
Worth, Joseph, in Prov. Cong., **9**. 1179.
Worth, Joseph, lieut., **10**. 559.
Worthington, Jno., in militia, **22**. 387.
Worthington, Wm., asks relief from church tax, **9**. 95-6.
Wothers, Philip, exempted, **4**. 826.
Wotton. See Wooten, Wootten.
Wotton, Chrisr., army rank, **16**. 1180.
Wotton, David, petition on C. H., **9**. 806-807.
Wotton, John, petition on C. H., **9**. 806-807.
Wotton, Wm., army rank, **16**. 1186.
Wotton, Wm., petition on C. H., **9**. 806-807.
Wounding, act on, **23**. 420.
Wounton, John, in militia, **22**. 494.
Wovaluka, signs treaty, **17**. 586.
Wrag, Mr., promises to get quit rents lowered, **4**. 203.
Wrag, Joseph, sues to recover lands, **4**. 279.
Wragg, Mr., fire losses of, **16**. 930.
Wragg, Mr., proposes to make settlement in S. C., **4**. 213.
presents memorial from Cape Fear, **4**. 30.

Wragg, Joseph, asks aid for S. C., **2.** 196-199.
Wragg, Jos., land grant to, **4.** 280, 350.
Wragg, Samuel, 4. 869.
action on law for clerks and records, **4.** 610-611.
attorney for Blake, **3.** 7, 38, 41.
petition of on land grants, **4.** 323-324, 328.
sells Blake's share of C., **11.** 86.
Wragg, Samuel, in assembly, **2.** 258.
Wragg, Samuel, in S. C. assembly, **1.** 901.
Wragg, T., signs memorial, **4.** 324.
Wragg, Wm., against sale of arms to Indians, **2.** 201-202.
suspended from S. C. council, **5.** 958, 960.
Wray. See Ray.
Wray, ——, commands tories, **15.** 610; at Sprawl's Ferry, **22.** 1044.
Wray, And., petition on separation, **22.** 705-9.
Wray, Benj., petition on separation, **22.** 705-11.
Wray, Lodovick, petition, **18.** 148, 178, 395, 454; **20.** 20, 24; considered, **17.** 294.
Wreckers, 1. 674.
on coast, **13.** 134, 138.
reward offered for arrest of, **12.** 447-448; for information against, **12.** 262-263.
rob vessel, **1.** 527, 547.
Wrecks, com. to inquire into, **10.** 968, 984.
Hewes to Caswell on, **13.** 147.
Holden coms'r of, **1.** 240, 241.
of Spanish ships, reports on, **4.** 1300-1311.
off Lookout and Cape Fear, **1.** 120.
to go to Proprs., **25.** 135.
Wrecks of the Sea, Eng. act on in force in N. C., **23.** 318, 326.
Wren, Dr., to Adams on counterfeiting, **20.** 662, 663-5.
Wren, Jno., in militia, **22.** 374.
Wren, Joseph, against sale of arms to Indians, **2.** 201-2.
Wren, Joseph, pensioner, **22.** 91.
Wren, Prusley, regulator, **7.** 735.
Wren, Wm., army rank, **16.** 1182.
in army, **15.** 728.
Wrenfrow, Wm., witness, **18.** 252.
Wrenn, Capt., loses arms, **22.** 581.
Wrenn, Wm., reënlists, **15.** 750.
Wrestann's Creek, 25. 210.
Wright. See Right.
Wright, ——, tory leader, seeks to join Br., **14.** 706.
Wright, ——, will not execute warrant, **16.** 983.
Wright, Mr., 11. 174.
Wright, Mr., 22. 462.
Wright, Mr., slave sent to, **2.** 2.
Wright, Capt., 24. 947.
Wright, Col., payment to, **22.** 442.
Wright, Ensign, 12. 516.
on guard, **12.** 501, 502, 538, 540.
Wright, Rev. ——, delegate to Lutheran Synod, **8.** 791.
Wright, Sergeant, forms company of pioneers in regulator campaign, **8.** 580.
Wright, Abm., army rank, **16.** 1191.
Wright, Adam, army pay, **17.** 257.
army rank, **16.** 1182.
Wright, Asa, army pay, **17.** 256.
Wright, Augustine, quit rents of, **22.** 251.
Wright, Caleb, army pay, **17.** 260.
Wright, Cald., payment to, **22.** 441.
Wright, Chas., in militia, **22.** 346.
Wright, D., petition on separation, **22.** 705-13.
Wright, D., reports on Ashe's company, **15.** 723.
Wright, Daniel, buys land, **1.** 618.
Wright, David, army pay, **17.** 256.
army rank, **16.** 1187.
army record, **13.** 476.
Wright, Edward, pensioner, **22.** 92.
Wright, Emanuel, army pay, **17.** 259.
Wright, Ewel, army pay, **16.** 1192.
Wright, Francis, petitions for division of Orange Co., **9.** 809-810.
Wright, Geo., pensioner, **22.** 91.
Wright, Geo., takes oath, **22.** 179.
Wright, Gideon, accounts of, **22.** 463.
allowance to, **22.** 827.
bill to for supplies, **22.** 449.
captured, **22.** 136.
coroner, **9.** 298.
court held at house of, **23.** 844.
ordered to raise King's standard, **10.** 441-443.
receipts for bounty money, **22.** 426.
tory leader, **14.** 676, 692; attacked, **14.** 790.
Wright, Henry, in militia, **22.** 497.
Wright, Henry, petitions on land, **9.** 1260-2; **11.** 250-2.
Wright, Hezekiah, payment to, **22.** 441.
Wright, Jacob, army pay, **17.** 260.
Wright, James, a J. P., **23.** 994.

Wright, Jas., in militia, **22.** 286.
Wright, James, land grant to, **4.** 650, 684, 767.
rights proved, **4.** 595.
Wright, James, on S. C. of New Hanover, **9.** 1107, 1150, 1151, 1265; **10.** 24.
in Prov. Cong., **10.** 914, 915, 960, 978.
Wright, James, pensioner, **22.** 90.
Wright, James, prisoner, **16.** 672.
Wright, James, Purcell on character and dealings of, **15.** 13-14.
Wright, James, voter, **15.** 237.
Wright, Sir James (Gov. of Ga.), **7.** 236; **10.** 392; **16.** 16.
attends Indian congress, correspondence and part taken in, **11.** 179, 180, 182, 183, 189, 191, 199, 203, 205, 206.
breaks parole, **16.** 492.
correspondence with on location of Indian congress and answer to same, **11.** 156-163, 164, 166, 171, 173, 174, 178.
demanded by Greene, **16.** 239.
demands satisfaction from Indians, **7.** 282.
gives commission to Mico Hatkee, **11.** 186.
plunders the Polly, **10.** 550.
reports on commissioners of C. C. to Indians, **10.** 348.
sends copy of Mecklenburg resolves to Eng., **9.** 1282.
Wright, James Allen, deserter, **15.** 483.
Wright, Job, army pay, **17.** 260.
Wright, John, **10.** 602.
Wright, John, army pay, **17.** 257.
Wright, John, army pay, **17.** 260.
Wright, Jno., army rank, **16.** 1182.
Wright, John, exempted, **4.** 499.
Wright, John, fined, **9.** 652.
Wright, Jno., in militia, **22.** 280.
Wright, Jno., in militia, **22.** 372.
Wright, John, in militia, **22.** 379.
Wright, John, juror, **25.** 190.
Wright, John, land grants to, **4.** 765.
Wright, John, memorial, **17.** 358, 360, 377, 386-388, 393; **20.** 84; **21.** 333, 342, 424, 671.
Wright, John, petitions on roads and ferries, **5.** 164-6.
Wright, John, quit rents of, **22.** 251.
Wright, John, resigns as J. P., **17.** 404; **20.** 96, 99.
Wright, John, rights proved, **4.** 765.
Wright, John, town coms'r, **23.** 240.
Wright, John, voter, **15.** 237, 238.
Wright, John, witness, **1.** 432.
Wright, John, witness, **24.** 468.
Wright, Rev. John, **5.** 1221.
Wright, John (of Va.), law suits, **1.** 408, 424-425, 435.
Wright, John, Jr., buys land, **21.** 1053.
Wright, John, Sr., pensioner, **22.** 91.
Wright, Jos., exempted, **4.** 128.
Wright, Jos., in militia, **22.** 379.
Wright, Jos., Jr., in militia, **22.** 379.
Wright, Josh., **21.** 505.
Wright, Levi, army pay, **17.** 259.
in army, **13.** 529; **18.** 797.
Wright, Mary, petition, **16.** 45.
Wright, Mary, petition, **19.** 22.
Wright, Micaja, army rank, **16.** 1189.
Wright, O. Prince, army rank, **16.** 1188.
Wright, Peter, army pay, **17.** 258.
Wright, Philbert, regulator, **7.** 736.
Wright, Philburd, petition on catching fish, **9.** 87-88.
Wright, Reuben, inquest on, **19.** 438.
Wright, Robert, owns land in S. C., **4.** 259.
Wright, Sampson, army pay, **17.** 259.
Wright, Sir Sampson, **20.** 662.
Wright, Samuel, buys land, **1.** 609.
Wright, Samuel, imported, **1.** 580.
Wright, Simon, in militia, **22.** 160.
Wright, Stephen, army pay, **17.** 261.
Wright, T., to Martin on British property, **16.** 496.
Wright, Thomas, army pay, **17.** 256.
army rank, **16.** 1182.
Wright, Tom, at Ocracock, **4.** 1304.
Wright, Thos., church trustee, **24.** 757.
Wright, Thos., claim, **18.** 95, 102, 245, 328.
Wright, Thos., in army, **15.** 728.
Wright, Thomas, in militia, **22.** 381.
Wright, Thomas, officer, **18.** 450.
Wright, Thomas, pauper, **1.** 679.
Wright, Thos., petition, **20.** 154, 164, 341; **21.** 831, 850, 998, 1003, 1020-1021, 1026.
sheriff, **20.** 160, 161, 162; **21.** 1076.
Wright, Thos., Sr., pensioner, **22.** 90.
Wright, Thomas, petitions on county bounds, **9.** 633-5.
Wright, Thomas, regulator, **8.** 80.
Wright, Thos., school trustee, **24.** 984.
Wright, Thomas, sick, **16.** 982.
Wright, Thos., takes oath, **22.** 178.
Wright, Thos., taxable, **15.** 192.
Wright, Wm., wounded and prisoner, **22.** 523.
Wright, Wm., army pay, **17.** 258.

Wright, Wm., ensign of militia, **14**. 135.
Wright, Wm., grand juror, **2**. 98.
Wright, Wm., in militia, **17**. 1042.
Wright, Wm., in militia, **22**. 330.
Wright, Wm., in militia, **22**. 346.
Wright, Wm., major, **20**. 272, 460.
Wright, Wm., on patrol, **10**. 25.
Wright, Wm., prisoner, **15**. 169.
Wright, Wm., recommended for promotion, **5**. 134.
Wright, Wm., takes oath, **22**. 177.
Wright's Bluff, S. C., **14**. 805; **15**. 368.
invested and captured by Amers., **17**. 1028, 1032.
Wright's Bluff Fort, **22**. 111.
Wright's Mills, headquarters at, **12**. 506, 507, 508, 510, 511.
Wrightworth, Col., position of reg. in army, **12**. 508.
Writs, act on duties of clerks in issuing, **24**. 905-6; **25**. 53-4, 409; on returning original writs, **23**. 17-19, 889, 935; **25**. 160, 200.
continued in new courts, **23**. 884, 892, 939.
Eng. acts on false returns of, **23**. 318, 321.
execution of, **23**. 716-17, 720.
to run in name of State, **23**. 984.
when and how returnable, **24**. 52, 62, 67-8; **25**. 276, 278, 279, 291, 409, 410, 438, 439, 441, 447.
Writs of elections, charges on diversity in, and answer, **6**. 302-4.
laid before assem., **6**. 364.
Writs of Error, act on, **3**. 183; **23**. 24-26, 333, 560, 572-3; **25**. 160.
Eng. act on in force in N. C., **23**. 321.
granting of, **24**. 61-62, 70-2; **25**. 284, 293, 413-14, 446.
how obtained and prosecuted, **23**. 891-2, 937-8.
judges of o. and t. courts to hear, **23**. 945-8.
rule on, **23**. 700.
superior court to grant, **23**. 883, 937-8.
Wt. Bay, **15**. 301.
Wunford, Mr., pay to, **22**. 499.
Wurtemburg, **8**. 632, 765.
Wyacon's Creek, tobacco inspection at, **23**. 641, 792.
Wyandots, visits Cherokees, **17**. 521.
Wyanoke (Waycocon, Weyanock, Weyanoke, Weycocon, Wiccouse, Wiccon, Wicconi, Wiccons, Wicocon, Wycocon, Wyonoak, Wyonake) Creek, boundary of N. C., **1**. xxii-xxiii, 103, 339-340, 385, 648, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 752, 754-755; **2**. 205, 221, 222, 223, 395, 418, 419, 517, 518, 681, 683, 731, 733, 749, 781, 787; **3**. 33; **11**. 82.
location, **1**. 668, 669, 676, 677.
no land to be surveyed on Va. side of, **1**. 647.
observation to be taken at mouth of, **1**. 615.
to be described, **1**. 645.
Wyanoke (Weyanoke) Indian Fort, **1**. 660.
Wyanoke (Weyanoke) Indian Town, **1**. 661, 662.
Wyanoke (Weyanokes) Indians, **1**. 743, 745; **2**. 395.
confederates of Opechancanough, **1**. 660.
examined on Va. boundary, **1**. 739, 740.
location, **1**. 661, 662; **2**. 731.
Wyanoke Neck, **1**. 662.
Wyanoke (Weyanoke) River, boundary of N. C., **1**. 659, 668.
Indians on, **1**. 660; 661, 662, 663.
latitude of, **1**. 748.
same as the Nottoway, **1**. 740.
Wyanoke Town, **1**. 740.
Wyars, Wm., in militia, **22**. 160.
Wyat. See Wiat.
Wyat, Mr., vessel seized, **10**. 847-848.
Wyat, James, land grant asked, **4**. 455.
Wyat, John, a J. P., **2**. 676.
Wyat, Jno., quit rents of, **22**. 254.
Wyat, Sam., quit rents of, **22**. 254.
Wyat, Wm., land grants to, **4**. 767.
Wyatt, ——, tailor, **14**. 520.
Wyatt, Mr., on com. of assem., **18**. 9, 31, 237.
Wyatt, Capt., ship master, **13**. 95.
Wyatt, Eliza, wife of Samuel, **1**. 871.
Wyatt, Ephraim, army pay, **17**. 259.
Wyatt, James, army pay, **17**. 256.
army rank, **15**. 732; **16**. 1187.
Wyatt, Jas., in militia, **22**. 429.
Wyatt, Jeremiah, army pay, **17**. 258.
Wyatt, John, army pay, **17**. 259.
army rank, **16**. 1180.
Wyatt, John, juror, **1**. 582; **2**. 556.
road overseer, **1**. 581, 651.
Wyatt, John, not exempted, **6**. 807.
Wyatt, Jno., soldier, **18**. 797.
Wyatt, Joseph, army pay, **17**. 259.

Wyatt, Joseph, resigns, as J. P., **18.** 29, 258, 261.
Wyatt, Samuel, estate of, **1.** 871.
Wyatt, Wm., allowance to, **22.** 817.
Wyatt, Wm., in assembly, **5.** 232, 507, 521, 539, 552, 689, 843, 867, 876, 889, 900, 901, 1020, 1044, 1054; **6.** 95, 113, 127, 130, 133, 158, 167.
juror, **4.** 517.
land grants to, **4.** 703, 704.
on com. of assem., **5.** 709.
petition on trade, **5.** 321-4.
Wyatte, Eph., in militia, **22.** 270.
Wych. See Wich, Wytch.
Wych, Henry, to give deposition, **1.** 739.
Wyche, Peter, in militia, **17.** 1042.
Wyeman, T., asks for new county, **9.** 89-90.
Wyer, John, indicted for adultery, **2.** 360, 370, 402.
Wyer, Thos., land grant to, **4.** 852.
Wyley. See Wiley, Wilie, Wily.
Wyley, Hugh, regulator, **7.** 737.
Wyley, James, **8.** 280.
bill to empower Moore to collect taxes, **8.** 366, 367, 380, 435-436, 439, 477.
Wyley, James, quit rents of, **22.** 260.
Wyley, Richard, prisoner, **16.** 674.
Wyley, Sam'l, asks pay for surveying Catawba lands, **7.** 113, 408, 414, 416.
surveys Catawba lands, **7.** 290.
to lay off lands for Catawbas, **6.** 786, 787.
Tryon to on Catawba line, **7.** 196, 197, 203, 438.
Wylie, Wm., prisoner, **14.** 710.
Wylie, James, asks pardon for Hunter, **9.** 86-7.
Wylie, Oliver, in militia, **22.** 396.
Wylie, Wm., in militia, **22.** 395.
Wylly, Alex., **11.** 268, 269, 271.
Wyly, ——, a J. P., **6.** 782.
Wyly, Jas., in militia, **22.** 397.
Wyman, Jasper, sells flour, **22.** 461, 462.
Wynchaster. See Winchester.
Wynchaster, Thos., in militia, **22.** 395.
Wynchaster, Wm., in militia, **22.** 395.
Wynka, signs treaty, **17.** 586.
Wynn. See Wimms, Winds, Winn, Winns.
Wynn, Mr., **20.** 582, 583.
Wynn, Gen., Indian coms'r, **22.** 722.
Wynn, Ezkl., army rank, **16.** 1192.
Wynn, George, major, **10.** 577.
Wynn, Geo., money from, **21.** 1063.
owes State, **21.** 1074.
Wynn, Jeremiah, debts due from, **8.** 280-1.
land grant to, **4.** 801.
Wynn, John, quit rents of, **22.** 251.
Wynn, John, town coms'r, **25.** 34.
Wynn, Jones, army pay, **17.** 258.
in army, **15.** 731.
Wynn, Thos., army pay, **17.** 257.
Wynn, Thos., quit rents, **22.** 246.
Wynne, Benj., in militia, **22.** 307.
Wynne, Geo., colonel, **22.** 963, 964.
supplies army, **16.** 485.
Wynne, John, tax collector, **23.** 255.
Wynne, Joshua, take up land, **1.** 646-647.
Wynne, Knibb, army rank, **16.** 1180.
Wynne, Wm., army rank, **16.** 1180.
Wynne, Wm., supplies N. C. line, **16.** 486.
Wynnon, Obdh., army rank, **16.** 1196.
Wynns, Mr., in assem., **20.** 370, 372, 378, 380, 416, 426, 427, 434, 438.
Wynns, Capt., and drafts, **16.** 642.
Wynns (Wyns, Wynn, Wynne), Benj., act for town on lands of, **23.** 773-5.
allowance to, **22.** 841, 864.
bill for town location on lands of, **6.** 1105, 1112, 1115, 1175, 1178, 1185, 1227, 1229, 1274, 1279, 1281-1282; **7.** 900, 904, 906, 909, 921, 942, 947, 954, 956, 957, 970, 978.
clerk, **9.** 298.
colonel, **10.** 205, 531.
coms'r on boundary, **23.** 658; on building, **25.** 375; on town coms'r, **23.** 774.
county clerk, **5.** 320.
depositions on blank patents, **4.** 1100, 1104, 1123.
dropped as J. P., **6.** 80.
in assembly, **5.** 232, 244, 246, 507, 510, 521, 524, 529, 539, 545, 550, 834, 836, 841, 843, 848, 849, 850, 852, 856, 864, 867, 1002, 1023, 1024, 1045, 1047, 1051, 1064, 1065, 1066, 1072, 1076; **6.** 91, 95, 104, 108, 119, 123, 126, 128, 131, 136, 140, 141, 145, 147, 150, 156, 161, 163, 164, 168, 170, 172, 185, 191, 801, 1114, 1122, 1140, 1148, 1174, 1187, 1188, 1190, 1196, 1211, 1217, 1227, 1266, 1274, 1284; **7.** 53, 54, 66, 80, 364, 575, 577, 586; **9.** 458, 459, 530, 540, 547, 589.
in militia, **9.** 296.
juror, **4.** 523.

on com. of assem., **5**. 284, 500, 523, 844, 1073; **6**. 98, 119, 136, 166; **7**. 370.
petition on trade, **5**. 321-4.
register, **9**. 298.
reports on militia of Hertford Co., **9**. 296-297; on public claims, **6**. 209-215.
town and ferry on lands of, **23**. 773-5.
warrant to, **8**. 706-7.
Wynns (Wynn), Benj., Jr., in assem., **8**. 297, 303, 320, 321, 326, 335, 391, 392, 393, 422, 426, 427, 440, 441, 454; **9**. 170, 175, 223, 392, 417, 422, 458, 459, 481, 482, 589.
in militia, **9**. 296.
on com. of assem., **8**. 324.
Wynns, Geo., colonel, **17**. 747.
in assembly, **9**. 1188; **13**. 624, 735, 741, 753, 862, 882, 898.
in conv. 1788, **22**. 2, 15, 25, 28, 30.
in militia, **9**. 296.
in Prov. Cong., **9**. 1179, 1180, 1181; **10**. 165.
money from, **21**. 1063.
on com. of assem., **9**. 1198.
Wynns, Geo., quit rents of, **22**. 243.
Wynns, John, a J. P., **23**. 994.
Wynns (Wynn), John, deposition ment'd, **4**. 1233, 1236; on land, **4**. 1100, 1103, 1110, 1116-1118; on methods of conducting assembly, &c., **4**. 1170-1172.
deputy surveyor and deputy clerk, **4**. 1117.
in assembly, **4**. 815, 830, 1171.
land grant to, **4**. 588, 603, 619, 644, 801, 805.
quoted on meeting of assembly in Wilmington. **4**. 1191.
reports on propositions and grievances, **4**. 817. 823-5.
rights proved, **4**. 602.
Wynns, John Appolus, land grant to, **4**. 619.
Wynns, Jos., juror, **4**. 523.
Wynns (Winn), Matthew (Watkin) Wm., resigns as J. P., **19**. 480, 820, 824.
Wynns (Wynn), Peter, a J. P., **23**. 994.
in assem., **8**. 99, 110, 130, 137, 147, 304, 326, 335, 391, 392, 393.
in Prov. Cong., **10**. 166, 167, 172, 915, 920, 930.
on com. of assem., **8**. 324.
on com. of Prov. Cong., **10**. 175.
Wynns, Thos., in assembly, **18**. 76, 90, 103, 130, 135, 136, 154, 156, 161, 171, 185, 339, 462; **20**. 39, 52, 68, 72, 76, 82, 83 (?), 126, 133, 134, 168, 180, 227, 229, 238, 239, 240, 244, 246, 270, 285, 287, 313, 314, 419, 428; **21**. 259, 276, 310, 613, 623, 650, 670, 679, 680, 694, 696, 697, 729, 731, 733, 734, 772, 773, 780, 781, 783, 784, 801, 802, 806, 815, 839, 844, 845, 846, 852, 860, 862, 867, 868, 880, 881, 926, 932, 942, 944, 1022.
in conv. 1788, **22**. 2, 6, 25, 27, 29, 32.
in conv. 1789, **22**. 37, 47, 48.
on com. of assem., **18**. 98, 132, 151, 194, 334, 364, 365, 374, 431, 442.
Wynns, Wm., dropped as J. P., **6**. 80.
in assembly, **13**. 784, 794, 812, 813, 824, 919, 925, 1000; **19**. 382.
lt. col., **17**. 747.
resigns as J. P., **19**. 140, 256.
Wynns, Wm., quit rents of, **22**. 243.
Wynns's, Col., arms sent to, **16**. 595.
Wyoming Lands, quarrel between Pa. and Conn. over, **17**. 174.
Wyotte, Ephraim, drafted, **14**. 839.
Wyre, Mary, claims allowed, **9**. 225.
Wyrick family, **8**. 734, 738.
Wyriot, Mr., asks that Ga. be allowed to recruit in N. C., **10**. 700.
Wyriott (Gwinnett?), Mr., **10**. 806, 815.
Wysocca, tobacco inspection at, **23**. 792.
Wytch. See Wich, Wych.
Wytch, Surrel, quit rents of, **22**. 244.
Wythe, George, **11**. 667.
Caswell to on defences and commissioners, **13**. 44.
clerk Va. House of Burgesses, **8**. 42.
in Phila. conv., **18**. 792.
interviews Hogg, **10**. 374.
letter from laid before Gen. Assem., **13**. 401.
Wythe Co., Va., **8**. 793.
Wyvell, Sir Marmaduke, **6**. 280; **7**. 425.

Y

Yadkin, **8**. 579; **15**. xii.
Yadkin Camp, **14**. 665; **15**. 114.
Yadkin Division, to elect representative, **25**. 1-3, 64-5.
Yadkin Ford, **5**. 1205; **14**. 678, 679, 682, 692, 693; **15**. 89.
Yadkin Forks, **14**. 695.

Yadkin (Yatkin, Atkin) River, 2. 778; **5.** x, liv, 10, 355, 493, 849, 1153, 1159, 1163, 1187, 1226; **6.** 611; **7.** 22, 155, 245, 827, 828, 1004; **8.** 534, 601, 649, 654, 713; **9.** xix; **10.** 294, 885; **14.** xiii, 383, 410, 512, 513, 581, 582, 594, 619, 620, 685, 698, 712, 717, 773, 865; **15.** iv, vi, ix, xii, 9, 10, 66, 83, 90, 97, 99, 117, 174, 285, 293, 414, 428, 516, 655, 666; **18.** 193; **19.** 840, 841, 842, 849, 886, 960, 962, 968, 969, 980, 982, 983, 989, 990; **21.** 242, 360; **22.** 95, 102, 108, 114, 119, 123, 125, 136, 138, 141, 149, 151, 425, 534; **23.** 844, 906; **24.** 28, 715, 819, 980; **25.** 108, 109, 114, 356.
act for ferry, **23.** 786; **24.** 542.
act on stopping of fish, **23.** 681, 819; **24.** 175-6, 460, 849-50; **25.** 504-5.
address to people on from Rowan S. C., **10.** 134.
and movements of British, **15.** 777, 778, 779.
and S. C. line, **6.** 778.
antimony found on, **5.** 357.
bill for ferry over, **8.** 301, 330, 343, 345, 349, 353, 391, 394, 404; for ferry over, **9.** 398, 416, 498; for two musters on; **21.** 768, 790, 823, 922, 947, 955, 988, 995, 1001; for new county on, **21.** 40, 47; to keep open, **18.** 204, 430; to prevent destruction of fish in, **7.** 320, 326, 330, 339, 410, 421; to prevent stopping of fish; **12.** 565, 571, 572, 582, 585, 653, 671, 674, 680, 686.
character of country, **5.** 1223.
com. to answer people on and report on same, **10.** 434-435.
conference with people of on Amer. liberty, **10.** 282.
corn on, **14.** 445.
Cornwallis on, **17.** 979, 998, 999.
explored, **16.** iii.
German Reformed churches on, **8.** xliii.
gospel service on, **5.** 1152.
grants to McCulloh on, **5.** 780.
Indian outrages on, **5.** 1, 1010.
iron works, **17.** 819, 903, 906, 949.
Jones sent to, **14.** 423.
Lutherans on, **8.** 765, 767.
McCulloh lands on, **5.** xxxii; **7.** 17.
Moravian lands on, **5.** 12-13.
militia to elect officers, **10.** 312.
petition for new county, **9.** 91-2; for removal of courthouse of Rowan Co., **5.** 200, 201-2; from and action on same, **10.** 317-18.
Presbyterians on, **5.** 1194, 1195, 1197, 1199, 1205, 1208, 1209, 1222.
requisition from, **8.** 715.
road from to Phila., **4.** xxi.
Spangenburg explores, **5.** 1146.
Sumner crosses, **14.** 777, 778; on, **14.** 404, 405, 423, 424.
swollen, **14.** 703.
tories on, **14.** 667; rise on, **14.** 867; **15.** 256, 265.
troops on, **14.** 780, 783, 786; sent, **14.** 669.
Waddell retreats across, **8.** 608, 610, 712.
Yadkin River Baptist Asso'n, history, **5.** 1185, 1187-1188, 1189, 1190.
Yadkin River Ford, 14. 570.
Yadkin River Valley, 8. xxii.
Yadkin Road, 5. 4.
Yagers, The, 22. 980.
at Guilford C. H., **17.** 1003, 1024.
defeat Malmedy, **17.** 1011.
reports on, **17.** 1009, 1024, 1026, 1027.
rise of, **15.** 309.
Yahatostonake, Indian, **7.** 237.
Yale University, 8. xl.
makes Fanning a LL.D., **7.** xv.
Yammons, Nathan, army pay, **17.** 262.
Yancey, Mr., grant to considered, **14.** 81-82.
Yancey, Col., to lead troops, **13.** 278.
Yancey, Bartlet, in militia, **17.** 365.
Yancey, Bartlet, in militia, **22.** 376.
Yancey, Charles, lieut., **10.** 944.
Yancey, Chas., takes oath, **22.** 177.
Yancey, James, a J. P., **5.** 592.
claims allowed, **8.** 468; **9.** 718, 756.
debts due by, **8.** 280-281; as sheriff, **9.** 572.
Yancey, James, juror, **8.** 72.
Yancey, James, militia captain, **22.** 162, 164.
Yancey, James, takes oath, **22.** 177.
Yancey, James, Jr., takes oath, **22.** 176.
Yancey, John, bill for town on lands of, **19.** 155, 161, 272, 274, 279, 281, 315, 343.
Yancey, John, in militia, **22.** 376.
Yancey, John, petition on separation, **22.** 705-12.
Yancey, Joseph, in militia, **22.** 163.
Yancey, Lewis, takes oath, **22.** 176.
Yancey, Philip, in militia, **22.** 163.
Yancey, Philip, pay to, **22.** 491.
Yancey, Philip, takes oath, **22.** 177.

Yancey, Richard, pay to, **22**. 487.
Yancey, Thos., pay to, **22**. 487.
Yancey, Thos., in militia, **22**. 163.
Yancey, Thornton, a J. P., **7**. 702; **23**. 993.
accounts of, **19**. 412, 438, 439, 441, 442, 447, 483, 582, 584, 655, 658, 736, 741, 776, 777, 788, 825.
coms'r on town, **24**. 878.
in assembly, **12**. 655, 656, 689, 690, 698, 704, 705, 736, 818, 873, 880; **13**. 702, 708, 709, 712, 717, 721; **18**. 229, 256, 257, 284, 298, 311, 312, 317, 344, 346, 351, 357, 361, 376, 389, 399, 412, 429, 443, 445, 468, 469, 470, 471; **19**. 376, 379, 720, 730, 773, 794, 804, 808, 812, 816, 822, 824, 827, 835; **20**. 127, 168, 180, 182, 229, 238, 239, 240, 246, 276, 287, 288; **21**. 193, 195, 207, 234, 264, 294, 305, 332, 344, 346, 367, 372, 379, 382, 393, 402, 403, 411, 431, 578, 871, 873, 927, 930, 931, 937, 941, 946, 963, 965, 969, 980, 999, 1003, 1004, 1006, 1012, 1013, 1015, 1021, 1030, 1032, 1050, 1055.
in conv. 1788, **22**. 2, 5, 25, 28, 30, 31.
in conv. 1789, **22**. 37, 46, 49.
in Prov. Cong., **10**. 914, 960.
major, **10**. 531.
on com. of assem., **12**. 823; **18**. 15, 41, 106, 242, 272, 336.
reports on organization of troops in Granville, **13**. 147-148.
takes bond, **8**. 196.
Yancey, Wm., a J. P., **23**. 995.
co. coms'r, **23**. 770, 803.
on Tryon, S. C., **10**. 424.
signs test, **10**. 297.
to take depositions, **13**. 827.
Yancey, Wm., takes oath, **22**. 176.
Yancey Co., Baptists in, **5**. 1191.
Yancy, ——, prisoner, **16**. 672.
Yancy, ——, prisoner, **16**. 673.
Yancy, Jno., officer, **22**. 702.
Yancy, Wm., fined, **9**. 651.
Yankees, 15. 394.
Yapato (Yapatto, Yapatsco, Yapatio) Creek, 2. 777, 778, 785, 811.
Yapon, taken for colds, **10**. 1030.
Yarberry, Reuben, in army, **13**. 515.
Yarborough (Yarboro), Capt., 14. 468, 483; **15**. 481.
Board War to on movement of N. C. troops, **14**. 443-4.
movements, **16**. 637.
rank, **16**. 665.
receives deserters, &c., **16**. 627.
report on troops under, **15**. 74.
returns soldiers to N. C., **16**. 588.
roster of co., **16**. 1007, 1022, 1037, 1054, 1060, 1070, 1083, 1093, 1098, 1107, 1120, 1127, 1139, 1150, 1164, 1174, 1191.
Yarborough, Lieut., clothing to, **14**. 715.
on ct. of inquiry, **11**. 811.
Yarborough, Davd., army rank, **16**. 1195.
Yarborough, Edd., army rank, **16**. 1194.
Yarborough, Edmund, coms'r on pension claims, **24**. 736.
Yarborough, Edward, captain, **22**. 1049.
Yarborough, Edward, ensign, **10**. 570.
officer, **18**. 449, 486.
rank, **16**. 73, 577, 609; settled and elects Q. M., **15**. 700.
recommended for promotion, **11**. 716.
recommends Wilson, **11**. 717.
to Sumner on command of troops, &c., **15**. 460.
Yarborough, Grigg, land patent to, **6**. 632.
returns resurvey, **4**. 1242.
Yarborough, James, army pay, **17**. 268.
army rank, **16**. 1195.
Yarborough, John, land grant to, **4**. 1249.
Yarborough, Joseph, pensioner, **22**. 92.
Yarborough, Nathan, pensioner, **22**. 92.
Yarborough, Ruben, army rank, **16**. 1194.
rank settled, **15**. 700.
recommended for promotion, **11**. 716.
Yarborough, Richard, army pay, **17**. 262.
army rank, **16**. 1194.
Yarborough, Wm., in militia, **16**. 1060.
Yarbro, Joshua, in militia, **22**. 377.
Yarbrough, Capt., stores to, **15**. 597.
to continue in service, **15**. 434.
Yarbrough, Lieut., in N. C. battalion, **13**. 343.
Yarbrough, Edward, in Davidson's company, **14**. 294.
Yarbrough, Samuel, asks for new county, **9**. 89.
Yarbrough, Wm., asks for new county, **9**. 89.
Yardley, ——, does not find Greene in Albemarle, **1**. xxi.

Yardley, Francis, letter to Farrar on explorations in C., **1.** 18-19.
Yates. See Yeates, Yeats.
Yates, Mr., in assembly, **21.** 198, 235, 581, 606.
Yates, Abraham, in C. C., **18.** 548, 552.
Yates, Abraham, pays in bills of credit, **16.** 306.
Yates, Charles, pensioned, **9.** 131, 206, 213, 214, 220.
See also Yeats, Charles.
Yates, Danl., in assem., **19.** 718, 719, 773, 794, 805, 822, 824, 827, 835; **20.** 120, 121, 139, 167, 179, 229, 238, 239, 246, 276; **21.** 2, 4, 47, 52, 66, 68, 74, 77, 109, 115, 121, 130, 133, 160, 168, 179, 190, 199, 597, 598.
in conv. 1788 and 1789, **22.** 3, 6, 26, 27, 30, 32, 35, 38.
school trustee, **24.** 535.
Yates, Davd., army rank, **16.** 1195.
Yates, Duncan, in assembly, **18.** 227, 228, 257, 263, 344, 345, 346, 351, 357, 361, 362, 376, 389, 399, 412, 429, 440, 443, 468, 469, 470, 471.
Yates, Elizabeth, sells land, **1.** 617.
Yates (Yate, Yats, Yatts), John, appraiser, **1.** 607.
buys land, **1.** 579.
juror, **1.** 534, 608, 610, 611.
receives power of att'y, **1.** 609.
sell land, **1.** 617.
Yates, Jno., army rank, **16.** 1194.
Yates, Jno., in militia, **22.** 318.
Yates, John, pensioner, **22.** 92.
Yates, Peter, claims, **4.** 809.
Yates, Pompey, executed, **22.** 841.
Yates, Richard, allowance to, **22.** 841.
Yates, Samuel, army rank, **16.** 1194.
Yates, Thos., army rank, **16.** 1195.
Yates, Thos., buys land, **2.** 172.
executor, **2.** 496.
juror, **2.** 261, 464, 473, 587, 589; **25.** 467, 473, 477.
surety, **2.** 470.
Yates, Wm., army rank, **16.** 1195.
Yates, Wm., asks for lapse patent, **2.** 494.
juror, **2.** 261, 464, 473, 587, 589; **25.** 185.
petition rejected, **2.** 564.
surety, **2.** 413, 470.
Yaughyaughany River, 5. 432.
Yaves, John, asks for new county, **9.** 89-90.
Yaw, Wm., jailed as a tory, **11.** 655.
Yawim Creek ment'd, **1.** 484.
Yawpim. See Yeopim.
Yawpim Indians. See Yeopim Indians.
Yawpim River. See Yeopim River.
Yeadon, Richard, prisoner, **17.** 1046.
Yeals, Nehemiah, land lapses, **2.** 488.
Yeamans, Edward, settler, **1.** 76.
Yeamans, John, 1. 178.
Yeamans, Sir John, a baronet, **1.** 94.
a Landgrave, **1.** 211, 214.
abortive settlement on Cape Fear, **1.** x.
agreement with Proprietors, **1.** 75-92.
approves petition, **1.** 147.
calamity to, **1.** 148.
causes trouble in Barbadoes, **1.** 177.
commissioned gov. of Clarendon Co., **1.** xv, 93-4, 97-8; governor of C., **1.** 119, 209-210.
course of exploring expedition, **1.** 119-120.
criticized by Vassall, **1.** 144-5.
governor of Barbadoes, **1.** 116.
in S. C. and Shaftesbury to on his reception, &c., **1.** 212-13, 214, 220-2.
in trouble in Barbadoes, **1.** 159.
instructions to, **2.** xii, 95-7.
knighted, **1.** 93-4.
land grant to, **1.** 94.
leaves colony at Bermuda, **1.** 207.
on Barbadoes council, **1.** 151, 157, 158.
on Barbadoes trade, **1.** 149-50.
proposals of settlement by, **1.** xii, xiv.
reasons why he was made gov. of C., **1.** 211, 214.
represents Barbadoes settlers, **7.** 78.
Shaftesbury to on C. affairs, **1.** 210.
Woodard to on S. C. affairs, **1.** 208-9.
Yeamans, William, agreement with Proprietors on settling, **1.** 75-92.
confers with Proprietors on proposed settlement, **1.** 98.
proposals of, **1.** xii, xiv.
threats of, **1.** 177.
Yeamans Harbor, 1. 130, 131, 132, 133.
named, **1.** 129.
Yeamons, Stokey, regulator, **8.** 79.
Yeargan, Thomas, pensioner, **22.** 92.
Yeargen, Henry, asks for new county, **9.** 92.
Yeargin, Cæsar, act to emancipate, **24.** 850.
bill to emancipate, **18.** 148, 170, 201, 239, 242-243, 372, 394, 400, 430.
Yeargin, Samuel, act to emancipate slave, **24.** 850.

bill to emancipate slave, **18**. 148, 170, 201, 372, 394, 400, 430.
petition on slave of, **18**. 12, 239, 242-3.
Yeargin, Thos., in militia, **17**. 1042.
Yearly, John, army pay, **17**. 262.
Yearly Meeting of Quakers, **2**. 665.
bill to emancipate slaves, **20**. 141, 144, 145, 155, 320, 321, 325.
Yeas and Nays, petition that they be inserted in journal, **8**. 84.
Yeates. See Yates.
Yeates, John, army pay, **17**. 262.
Yeats, Charles, pensioner, **22**. 460, 483.
petitions for relief, **9**. 62-3, 214, 220.
See also Yates, Charles.
Yeats, James, land grant to, **4**. 632.
Yeats, Jno., in militia, **22**. 324.
Yeats, John, land grant to, **4**. 950.
Yeats, Thos., land grant to, **4**. 639.
Yellen, James, asks pardon for Fruit, **9**. 93-94.
Yellow Bird, signs treaty, **17**. 586.
Yellow Bird of Pine Tog, signs treaty, **17**. 586.
Yellow fever, in Newbern, **7**. 154.
Yellow Mountain, Tenn., **15**. 101, 372; **25**. 4.
Yellow Jacket, **23**. i.
history, **9**. xli.
printed, **4**. xiv.
Yellow Springs, **13**. 505, 508, 520, 525; **15**. 721, 727, 733.
Yellow Water, **7**. 117, 854.
Yelverton, Jacob, in militia, **7**. 262.
Yelverton, Joel, army pay, **17**. 262.
Yelverton, John, juror, **4**. 521.
Yemassee (Yemesee), sloop, **2**. 59, 60, 62.
Yemassee Indians, defend Bath Co., **2**. 45.
not to aid whites in trading, **2**. 845-846.
Yemassee War, **2**. 283, 723.
accounts of, **2**. 187, 188-9, 190, 193, 196-7, 203.
action of Bd. Trade on, **2**. 193-6, 280-2.
aid asked from King in, **2**. 193-196, 196-199; sent to S. C., **2**. 180, 186, 187.
arms needed for defense of, **2**. 193-195.
cost, **2**. 230, 233.
Craven's account of, **2**. 177-9.
debts due to Moore and Hastings paid, **2**. 418.
extracts from S. C. assembly journals on, **2**. 254-260.
grain to be shipped to S. C., **2**. 183.
help from N. C. and Va., **2**. v-vi, 225, 229, 234.
Indians helped by French and Spanish, **2**. 197; used in, **2**. 187, 234.
injuries to S. C., **2**. 251-2.
men needed for, **2**. 195, 198, 230, 281.
no aid from England, **2**. 202.
North Carolina troops cut off, **2**. 202.
persons from Va. to be sent back, **2**. 181.
petition against selling of arms to Indians, **2**. 201-202.
Proprietors aid in, **2**. 191-2, 197.
report on state of country, **2**. 234.
results of, **2**. vi.
slaves used by whites, **2**. 230.
South Carolina thanks Board of Trade, **2**. 234.
Spotswood criticises treatment of Va. troops by S. C., **2**. 202-203.
state of S. C., **2**. 224, 229-233.
Urmston on, **2**. 185.
Virginia's terms of aid, **2**. 253-4.
Yeoman, Christopher, petition, **4**. 501.
Yeoman, Harris, army rank, **16**. 1194.
Yeoman, Harris, army rank, **16**. 1195.
Yeoman, Harris, in militia, **22**. 319.
Yeoman, Jno., in militia, **22**. 320.
Yeoman, John, school teacher, **8**. 749.
Yeoman, Nath., in militia, **22**. 307.
Yeoman, Thomas, in militia, **22**. 320.
Yeomans, Nathan, petition rejected, **6**. 378-9.
Yeopim (Yawpim), **2**. 171, 356, 390.
King sells lands, **1**. 19.
land in sold, **1**. 521.
Yeopim Creek, inspection at, **23**. 792; **25**. 313, 379.
Yeopim (Yawpin, Yawpine, Yawpeen) Indians, **2**. 485.
ask power to sell lands, **4**. 446.
petition for debt against, **2**. 140.
grant from, **1**. ix, 657-8, 669.
sell land, **2**. 483.
Yeopim (Yawpin) Neck, **2**. 509.
Yeopim (Yapin, Yawpin) River, **1**. 493, 624; **2**. 479, 509; **4**. 448; **9**. 633, 766, 767.
inspection on, **25**. 313, 379.
land sold on, **1**. 531.
quit rents paid at, **25**. 217.
Yeotaugh Springs, **15**. 648.
Yew, Christo., rights proved, **4**. 598.
Yew, James, army rank, **16**. 1194.
Yewman, Christo., army rank, **16**. 1195.

Yockahoopoie, treats with U. S. for Choctaws, **18.** 799-802.
Yockanahoma, treats with U. S. for Choctaws, **18.** 799-802.
Yoder, Conrad, 8. 750.
Yoder family, 8. 756.
Yokley, John, petition on separation, **22.** 705-13.
Yonge. See Young, Younge.
Yonge, Christian, petition, **18.** 130, 144, 364, 453, 461.
Yonge, Walter, on illicit trade to America, **1.** 439-40.
Yonge, Wm., signs commissions of St. John and Hammerton, **11.** 3, 6.
Yoopakooma, signs Choctaw treaty, **18.** 802.
Yoostenochha, signs Choctaw treaty, **18.** 802.
Yordan. See Jordan.
Yordan, Philip, army pay, **16.** 1195.
York, Duke of, 1. 314, 315.
York, Archbishop of, at council, **2.** 680, 732.
York, Dean of, 2. 284, 293.
York, ——, regulator, **8.** 718.
York, Mr., dead, **8.** 172.
York, Capt., in Cherokee nation, **10.** 783.
visits Stuart, **10.** 771, 776.
York, Jeremiah, petitions for Welborn, **9.** 26-7.
recommends Welborn, **9.** 25-26.
York, John, collects tories, **22.** 185, 237.
York, John, recommends Pugh, **9.** 30-31.
York, John, regulator, **7.** 736.
York, Sir Joseph, demands prizes of Jones, **15.** 339.
York (Yorke), Sir Philip, legal report by, **3.** 350.
orders letters to be printed, **3.** 498-9.
to Newcastle on transfer of C. to King, **2.** 769-770.
York, Robinson, charged with counterfeiting, **8.** 399.
indicted as regulator, **8.** 532.
loyalist, **10.** 600.
regulators' entry on cause of, **8.** 238.
York (Yorke), Semore, asks pardon for Pugh, **9.** 29-30; for Welborn, **9.** 26-27.
loyalist, **10.** 598, 600.
orders to from Martin to take up arms, **10.** 441-3.
petition for release of, **10.** 841.
recommends Pugh, **9.** 30-1; Welborn, **9.** 25-6.
York, Silveney, petitions for release of husband, **10.** 841.
York, Wm., army pay, **17.** 262.
army rank, **15.** 730; **16.** 1194.
York, 11. 368, 436.
burned, **10.** 819.
citizens taken at, **16.** 18.
York (Yorktown), Pa., 4. xxi; **5.** 1200; **8.** 777; **11.** 656; **12.** 819; **13.** 1, 3, 8, 14, 20, 25, 27, 37, 47, 58, 65, 66, 79, 89, 102, 105, 108, 125, 137, 140, 141, 154, 156, 174, 199, 213, 361, 369, 370, 374, 378, 381, 384, 385, 392, 400, 403, 453, 483, 497; **15.** 87.
Cont. Cong. locates in, **11.** 638, 641, 647, 649, 654, 657, 659, 665, 666, 668, 669, 677, 681, 685, 686, 693, 695, 701, 780, 782, 785, 788, 801, 806, 808, 813, 818, 819, 821, 825; **22.** 970, 972, 973, 976, 979.
no press in, **11.** 667.
York, England, 9. 997.
York (countersign), 8. 592.
York Buildings, 5. 777.
York Co., bill to erect, **9.** 114, 116, 165, 170, 174.
York Co., Me., immigrants from, **5.** 1150.
York Co., Pa., 22. 135.
contributes population to N. C., **4.** xxii.
Germans in, **8.** 729.
York Co., S. C. (?), 19. 987.
York Co., Va., tithables in 1756, **5.** 565.
York Currency, 6. 287.
York Dist., S. C., 22. 152.
York Island, 10. 864, 910.
York line, 14. 499.
York River, Va., 1. 700; **3.** 89, 225; **18.** 630, 633.
British in, **14.** 82; **22.** 1029.
communication with N. C. via, **1.** 677-8.
French fleet in, **22.** 586.
Gale trades to, **22.** 734.
York Road, Pa., 11. 643.
York Sulphur Springs Charge, 8. 796.
Yorke, ——, signs commission of Oswald, **16.** 421.
Yorke, ——, testimony of, **2.** 674.
Yorke, Mr., at Board of Trade meetings, **6.** 753-5, 1001-7.
Yorke, Charles, opinion on authority of Indian titles, **10.** 375.
Great Seal delivered to, **8.** 171.

Yorke, John, recommends disallowance of clergy and vestry act, **6.** 720-3.
to Dobbs on assembly, **6.** 539-541.
to King on court acts, **6.** 587-591; on docking entails, **6.** 972-3; on grants of Indian lands and commissions of judges, **6.** 582-6.
Yorkers, 14. 50.
Yorkshire, executions in, **5.** 1195.
manors in given to the Burkes, **15.** 677.
Yorktown (York), Va., 15. 662; **16.** 675; **17.** 992, 1022; **19.** 882; **20.** 395; **22.** 110, 149.
Americans near, **15.** 641, 642.
British at, **15.** 598, 618; **22.** 573, 586.
Cornwallis at, **22.** 586; leaves, **15.** 630; surrenders at, **16.** ix; to fortify at, **22.** 1029.
fortifications needed, **14.** 688-9.
inferiority of Americans at, **16.** 309.
operations about, **15.** 655.
surrender at reported, **15.** 657.
Yorkville, S. C., 19. 985.
Yost family, 8. 744, 748.
You, Thomas, prisoner, **17.** 1046.
Young, ——, 16. 983.
Young, ——, candidate, **17.** 130, 131.
Young, ——, law suit, **1.** 393.
Young, ——, Alston & Co., 16. 953.
suits in name of, **9.** 1164.
Young, ——, Miller & Co., 8. 9.
land of confiscated, **24.** 334.
regulators' entry on cause of, **8.** 239.
Young, Mr., 7. 824.
Young, Mr., 8. 691, 692.
Young, Mr., 22. 534.
Young, Mr., claims, **5.** 557.
Young, Mr., captured by Amer. privateers, **15.** 177.
Young, Mr., dies, **16.** 953.
Young, Mr., Jr., interests of considered, **16.** 953-4.
Young, Capt., 10. 465, 466.
Young, Governor, 10. 794.
Young, Aiton, asks for new county, **9.** 92.
Young, Alexander, asks pardon for Fruit, **9.** 93-4.
Young, Arthur D., pensioner, **22.** 92.
Young, Barnet, fined, **22.** 512, 513.
Young, Canady, takes oath, **22.** 169.
Young, Catharine, petition, **21.** 778, 930, 937, 1052.
to Martin on widows and children of tories, **16.** 467-9.
Young, Charles, county clerk, **5.** 320.
Young, Edward, a J. P., **3.** 417.
land grant to, **4.** 625.
Young, Edward, petitions for repeal of tax on free negroes, **6.** 982-983.
Young, Edward, Jr., in militia, **22.** 375.
Young, Francis, petition on C. H., **9.** 806-7.
Young, Francis, instructions from S. C. council, **2.** 448-9.
Young, Francis, land grants to, **4.** 66, 331, 332, 335, 596.
quit rents of, **22.** 245.
Young, George, imports persons, **1.** 395.
Young, George, takes plunder, **4.** 891-892.
Young, Sir George, memorial to by Fanning, **22.** 234, 239.
Young, Henry, 14. 114, 141; **15.** 786, 787; **16.** 245, 250; **20.** 594.
a J. P., **23.** 995.
and Briar Creek Battle, **14.** 41, 277, 281.
and prisoner, **14.** 846.
claim allowed, **9.** 953.
commands militia, **22.** 603.
coms'r on buildings, **24.** 520; on town, **24.** 611.
conduct in Wilmington, **16.** 509, 528.
contributes to S. C., **10.** 437.
coroner, **9.** 54.
deposition on Pollock, **9.** 53.
expels Maclean, **16.** 991, 998.
law stayed in favor of, **21.** 864, 1052, 1053.
Leonard to on tories, **16.** 553.
major, **10.** 475, 531.
Martin to on expelling tories, **16.** 918.
memorial, **19.** 581.
negroes sold to French, **7.** 212-13.
on court martial, **15.** 431.
on S. C. of Wilmington, **9.** 1154.
owes State, **21.** 1070.
summoned to report on hire of sloop, **13.** 895-896, 987.
taxable, **15.** 192.
to borrow money for troops, etc., **14.** 831; **15.** 23.
to Caswell asking pass to Phila., **11.** 613.
to Dry on seizure of vessels, **7.** 177-178 (?).
to Lillington on Br. movements, **16.** 536; on impressment of goods and men, **16.** 241-2; on return of to-

ries, **16**. 560-561; on tories, &c., **15**. 569, 570, 572.
to value horses, **10**. 345.
voter, **15**. 238.
Young, Mrs. Henry, **12**. 242.
Young, Hervey, to Dry on seizure of vessels, **7**. 177-8.
Young, Isaac, army rank, **16**. 1194.
Young, Isham, pardoned, **19**. 246, 247.
Young, James, army rank, **16**. 1194.
Young, James, check in favor of, **7**. 424.
Young, James, preference in lots, **25**. 502.
coms'r on town, **25**. 487; to build jail, **23**. 619, 620.
deposition on, **7**. 774.
Young, Jas., in militia, **22**. 373.
Young, John, a J. P., **23**. 993.
Young, John, a J. P., **23**. 994.
Young, John, administers oath, **22**. 176.
Young, John, army pay, **17**. 262.
Young, John, army rank, **16**. 1194.
Young, Jno., army rank, **16**. 1195.
Young, John, dist. auditor, **24**. 686.
Young, John, enlistment of examined, **11**. 811.
Young, John, exempted, **5**. 554.
Young, John, in army, **13**. 511.
Young, John, in militia, **22**. 371.
Young, John, juror, **8**. 72.
Young, Jno., petitions, **19**. 932.
Young, John, petitions on land grants, **9**. 1260-2; **11**. 250-2.
Young, John, refuses to take oath, **22**. 177.
Young, John, school trustee, **13**. 809; **24**. 297.
Young, John, sells horse, **16**. 262, 581.
Young, John, town coms'r, **24**. 878.
Young, John Sampson, bill to confirm judgment in favor of, **17**. 336, 345; **20**. 43.
Young, Joseph, assaulted by Burrington, **2**. 650-1.
deputy provost marshal, **2**. 694.
discharged by court, **2**. 601.
indicted, **2**. 401.
Young, Joshua, asks for new county, **9**. 92.
Young, Joshua, lieut., **10**. 937.
Young, Luke, petition of for citizenship refused, **13**. 935.
Young, Martin, army pay, **17**. 262.
Young, Mary, assaulted by Burrington, **2**. 650-1.
Young, Matthew, in militia, **22**. 398.
Young, Michl., army rank, **16**. 1195.
Young, Michael, fined, **22**. 512-13.
Young, Nathaniel, asks for new county, **9**. 92.
Young, Peter, apologizes to assembly, **3**. 317-318.
claims, **3**. 282, 319; **4**. 149.
juror, **4**. 516.
nominated for messenger, **4**. 554.
scire facias issued for, **2**. 602, 654, 660, 670.
sergeant of assembly, **4**. 123.
tried for riot, **2**. 821, 824-5, 828.
Young, Philip, asks for new county; **9**. 92.
Young, Robert, **22**. 695, 715.
bears flag for Sevier, **22**. 692.
Young, Robert, case of, **19**. 413, 438.
Young, Robert, land grant to, **4**. 759.
Young, Samuel, **9**. 1079.
Young, Samuel, asks for new county, **9**. 92.
claims, **20**. 130-1, 313.
fit for C. C., **10**. xxxiii.
given leave to bring suit, **10**. 282.
in assembly, **16**. 2, 3, 50, 127, 153, 156, 165, 167; **19**. 5, 13, 21, 395, 397, 398; **20**. 363.
in Prov. Cong., **9**. xxxi, 1026, 1042, 1049; **10**. 166, 167, 172.
juror, **10**. 2, 3.
on com. of assembly, **16**. 21, 32, 46, 54.
on com. of corresp., **9**. 1073.
on com. of Prov. Cong., **10**. 173.
on Rowan S. C., **10**. 134, 279, 280, 281, 282, 434.
on Rowan com. of secrecy, &c., **10**. 312.
petition on C. H., **9**. 806-7.
president and clerk of Safety Com. of Rowan Co., **10**. 9, 252, 254, 280, 282, 309, 320, 432, 435, 592, 594.
referee on fees, **8**. 521, 535.
tax collector, **19**. 707.
to draw up address to militia, **10**. 9.
to withhold money from absconding debtor, **10**. 593.
treasurer of Rowan S. C., **10**. 10.
Young, Samuel, land grant, **4**. 1238.
Young, Sewell, Jr., asks for new county, **9**. 92.
Young, Sewell, Sr., asks for new county, **9**. 92.
Young, Sion, army pay, **17**. 262.
discharged from army, **17**. 279, 282; **20**. 9.
Young, Thos., in militia, **17**. 1060.
Young, Thos., in militia, **22**. 375.

Young, Wm., army pay, **17**. 262.
army rank, **16**. 1194.
Young, Wm., complains of Indians, **5**. 142-3.
Young, Wm., fine remitted, **10**. 3.
Young, Wm., in militia, **22**. 373.
Young, Wm., lends salt, **19**. 619.
pensioner, **22**. 92.
Young Eagle, The, and Indian affairs, **22**. 998.
Young Henry, brig, **11**. 687.
Young ladies, pass patriotic resolutions, **10**. 594.
Young Prince, ship, **1**. 322.
Young Sally, schooner, **8**. 545.
"Young Tarleton," Dark, **16**. 345; **22**. 610.
Young Tarrapin, signs treaty, **17**. 856.
Young Tassel, The, and Indian affairs, **22**. 999.
See also Old Tassel, Tassel.
Young Twin, talk at Indian Congress, **11**. 185-186.
Young Warrior, talks at Indian Congress, **11**. 191.
visits Tryon, **8**. 22.
Young Warrior of Estatoi, **11**. 199.
at Indian Congress, **11**. 179.
Youngblood, James, regulator, **7**. 733.
Youngblood, John, in militia, **22**. 310.
Youngblood, Jno., in militia, **22**. 331.
Youngblood, John, regulator, **7**. 733.
Youngblood, John, regulator, **7**. 735.
Youngblood, Peter, regulator, **7**. 733.
Youngblood, Peter, regulator, **7**. 735.
Youngblood, Peter, regulator, **7**. 736.
Youngblood, Thos., in militia, **22**. 333.
Youngblood, Thomas, regulator, **7**. 733.
Youngblood, Wm., time granted on survey, **5**. 814.
Younge, Mr., attends Board of Trade, **4**. 28.
Younger, James, address to Tryon, **7**. 812-13.
Younger, James, regulator, **7**. 736.
Younger, Thos., school trustee, **24**. 984.
Younghusband, Thos., canal coms'r, **24**. 871.
in assembly, **13**. 811, 824, 923, 966, 975, 983, 988, 1000; **19**. 382.
Younghusband, Thos., protests against confiscation act, **13**. 991-2.
Young's Swamp, **24**. 642.
Youngse, ——, **8**. 43.
Yumimdat (Yuncundat, Yunicundat), fort needed at, **5**. 465, 467, 468, 476.
Yverdon, Switzerland, **1**. 905, 906, 955, 976, 985, 986.
DeGraffenried a bailli of, **1**. 906, 976.

Z

Zach, Jno., **13**. 734o.
Zachry, Jno., in militia, **22**. 377.
Zachry, Thos., in militia, **22**. 377.
Zack, **17**. 595.
Zackerry, Thomas, land grant to, **4**. 641.
Zackra, Thomas, rights proved, **4**. 640.
Zakel, Jas., army rank, **16**. 1195.
Zane, Isaac, signs Indian treaty, **18**. 514.
Zarol, Wm. Iss., petitions for division of Orange Co., **9**. 809.
Zealot, James, army pay, **17**. 262.
Zealot, Shadrack, army pay, **17**. 262.
Zeb Branch, **19**. 68.
Zehn, Christopher, petitions, **3**. 303.
Zelverton, ——, to be arrested, **15**. 390.
Zeman, Nathl., petition on roads and ferries, **5**. 164-5.
Zephr, cruiser, **6**. 1028.
Zerniah, **7**. 802.
Ziegenhaden, Rev. Mr., aids Germans, **8**. 632.
Ziglar, Leonard, pensioner, **22**. 92.
Zimmerman family, pioneers, **8**. 751.
Zink, Jacob, organizes Tenn. Synod, **8**. 782.
Zinzendorf, Count, agreement with Granville for land, **5**. 1146.
buys grant to Whitfield, **7**. 285.
dau. marries v. Watteville, **5**. 1156.
grant to in Ga., **5**. 1144.
Zion's Church, S. C., **8**. 765, 776.
Zion's Church (organ), **8**. 759, 760, 776.
Zion's Lutheran Church, Lincoln Co., **8**. 776.
Zollicoffer, H., to Gov. Caswell on, **13**. 422.
Zollycoffer, Geo., petitioner, **7**. 866-7.
Zubly's Ferry, **14**. 39, 43.
Zuinglius, **8**. 731, 740.
Zuly, Peter, army pay, **17**. 262.
Zurich, Canton of, forbids emigration to America, **4**. 160.
Zweibruecken, Bavaria, **8**. 771.
Zwingfelters, in Pa., **8**. 729.

ADDENDA ET CORRIGENDA.

Albemarle Co., **1**. 239.

Armstrong, Mark, to Gates on disposition of King's Mtn. prisoners, **14**. 727, etc. The originals in the Cont. Cong. Papers show that this should be *Martin* Armstrong, although printed Mark in text.

Armstrong, Martin, allowance to, **13**. 908.

Atkins, Ica., **16**. 591; witness, **10**. 957.

Banks, The, Indians on, **5**. xii.

Bartram, Wm., in assembly, **4**. 984.

Barzie, James, claims, **9**. 217, 218, 219.

Birdsong, James, ammunition to, **15**. 471, 474, 486. On p. 194 of vol. 27, this name is written Bridsong by error.

Births, **5**. 31, omit.

Campbell, Robert, claims, **9**. 217, 218, 219.

Campbelton, Scotland, **5**. 1196.

Charleston, S. C., **22**. 759, omit.

Christie, Thomas, property confiscated, **19**. 672.

Collet, John A., allowance to, **9**. 869, not **8**. 869.

Comet, galley, **15**. 595.

Craven Co., address on Amer. liberty, **9**. 1017-18.

Cruizer, The, war ship, **9**. iv.

Curtis, Christopher, tory, **11**. 248, omit tory.

Dixon, ——, attacks Br., **14**. 311.

Dobbs, Arthur, Pitt to on offenses against Spain, **5**. 786.

Swann to on address to king, **5**. 633.

Franklin State, report on to assembly, **17**. 376, not **1Z**. 376.

Greene, Nathaniel, to Burke on his exchange, etc., **16**. 445-6, not 444-5.

to Polk on provisions, &c., **15**. 179, not to Martin.

Hague, The, **17**. 40, 41.

Hanger, Capt., to superintend tory militia, **15**. 248.

Heart of Jesus, The, arrives at Edenton, **13**. 291.

Henderson, Pleasant, clerk of com. on army accounts, **18**. 163, 306, not **23**. 163, 306.

Henderson, Richard, in C. of S., **19**. 312, omit.

petition of, insert **19**; in next line change **14** to **9**.

Hill, Wm. H., memorial, **21**. 200, 210.

Hunter, Isaac, tory, **11**. 348, omit tory.

Husband, Hermon, arrested, **7**. xxv.

Inning, John, juror, **7**. 846.

Iredell, James, Burke to on insult to privateer, **16**. 540-1, not **14**. 540-1.

LaMuce, Marquis de la, on Dr. Coxe, **1**. 529.

Laws (vol. 28, p. 448), Davis instructed to *revise*, not *retire*, **12**. 127, etc.

Laws, Special Index to vol. **25**. p. 666, county courts, to appoint jurors, **24**. 273-5, 907, 928, not **25**.

Leonard, Benj., petition, **17**. 931-2; resolve in favor of, **20**. 109.

Lord Chatham, The, privateer, **13**. 291.

Maclaine, Archibald, in assembly, **12**. 180, not 181; on com. of assem., **12**. 140, not 141.

McWhorter, John, in militia, **22**. 398, change John to Hanse.

McTier, Wm., **9**. 1152, 1153.

Martin, James, tory, **11**. 348, omit tory.

Massey, Demsy, tory, **11**. 348, omit tory.

Mint, The, inmates of in N. C., **1**. 767.

Montague, Bryan, army rank, **16**. supply 1109.

Montfort, Col. Jos., under this name are included two persons; the elder died Mar. 25, 1776; the younger fought through the Revolution, was in the regular U. S. army and was killed by Indians.

Nuestra Senora de Gaudalupe (misprinted Neustra, etc.), **4**. 1300-3, 1304, 1305, 1308, 1310.

Niccols, misprinted Nicols on p. 208, vol. 29.

Polk, Thomas, Greene to on provisions, etc., **15**. 179.

Scott, Joseph, claims allowed, **18**. 318, not John.

Shelby, Evan, Indian expedition, **20**. 714, 773.

Swann, Samuel, to Dobbs on address to king, **5**. 633.

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HISTORICAL REVIEW

OF THE

COLONIAL AND STATE RECORDS

OF

NORTH CAROLINA

BY

STEPHEN B. WEEKS

E.V.

CONTENTS.

PAGE

CHAPTER I—THE ATTEMPTS, PUBLIC AND PRIVATE, TO GATHER AND PUBLISH THE COLONIAL AND STATE RECORDS OF NORTH CAROLINA..... 1-77

I. The Recording and Preservation of Contemporaneous History.. 1-11

A. Registration of Births, Marriages, and Deaths..... 1

The Fundamental Constitutions 1

The situation in 1735..... 1

Gov. Tryon's comment in 1767..... 1

J. R. B. Hathaway's work..... 2

B. Revisals of the Laws..... 2

The Code of 1715..... 2

The method of publication..... 3

The printed revisals 3

The possibility of recovering the early laws..... 4

C. Other Colonial and Early State Efforts..... 5

Early acts 5

Johnston's recommendations for a Capitol in 1747..... 6

Losses suffered by the removal of public archives..... 7

The act of 1784 and its results..... 9

Losses suffered by the burning of courthouses..... 11

Gov. Martin copies the correspondence of Spotswood..... 11

II. The Work of Individual Students in gathering Historical Sources 11-29

A. George Chalmers 11

B. Hugh Williamson 12

C. François Xavier Martin 13

D. Archibald DeBow Murphey 15

Murphey's Memorial of 1825..... 17

Outline of his proposed History..... 17

Act to encourage his Work, 1826..... 22

Proposed lottery 23

Act of 1827 25

Report of Literary Board, 1828..... 26

Memorial of 1831 26

Bill on proposed History rejected..... 28

III. The Work of the State..... 29-77

A. The State renews its efforts, 1826-1854..... 29

The Resolution of 1827..... 29

Gov. Burton to Henry Clay..... 30

Gov. Burton to Albert Gallatin..... 30

Henry Clay to Gov. Burton..... 30

Albert Gallatin to Gov. Burton..... 30

Thomas Lacke to Albert Gallatin..... 31

Lord Dudley to Mr. Gallatin..... 32

Results of this Resolution: Indexes to Documents..... 32

Gov. Stokes to Assembly of 1831..... 33

Resolve of Assembly of 1831-32 on collecting Laws and Journals 33

Rearrangement of State Archives..... 34

Gov. Swain to Assembly of 1833-34..... 35

CHAPTER I—The Work of the State—*Continued.* PAGE
Gov. Swain on the statute law 35
Proposed publication of Revolutionary records in 1834 36
The work of John H. Wheeler 36
Gov. Morehead to Assembly of 1844-45 37
The Resolution of 1845 37
Gov. Swain to Gov. Graham on Gov. Burke's Correspondence 38
Gov. Graham to Assembly of 1846-47 on execution of the Resolution of 1845 38
Resolution on the publication of documents, 1847 40
Mr. Bancroft to Gov. Swain, 1848 41
Report of Committee and Resolution on procuring papers from England, 1849 41
Gov. Swain to Gov. Manly 42
Gov. Swain to Heath, Moore, and Paine 43
Gov. Manly's report to Assembly of 1850-51 45
Committee's report and Resolution on publication, 1851 45
Other resolutions of 1850-51 and 1852-53 46
B. Governor Swain's Historical Agency, 1854-1858 47
Resolution of 1855 on appointment of an agent 47
Gov. Bragg to Gov. Swain 47
Gov. Swain to Gov. Bragg 48
Gov. Swain's Report to the Assembly of 1856-57 49
Report of Joint Select Committee 50
Bragg's letter of transmittal 50
Swain's Report 51
J. C. Dobbin to Swain 53
Swain to G. M. Dallas 53
Dallas to Dobbin 55
Swain to Dobbin 55
Sparks to Swain 56
Peter Force to Dobbin 57
Hawks to Swain 57
Resolution of Assembly of 1856-57 58
Gov. Swain to Gov. Bragg 58
Gov. Swain's Circular Letter of 1857 60
C. The Proposed Compilation by Gov. Swain and Dr. Hawks, 1858-1861 61
Hawks to Swain 62
Memorial of Swain and Hawks in 1858 on their proposed "Documentary History of North Carolina" and "North Carolina Statutes at Large" 63
Bancroft to Hawks 65
Resolution of 1859 65
Efforts to aid Dr. Hawks in the publication of his History. 65
Resolution of 1860-61 66
Resolution of the Convention of 1861 67
D. The Renaissance of Historical Studies in North Carolina 67
Governor Jarvis's Story 67
The act of 1881 provides for publication 69

CHAPTER I—The Work of the State—*Continued.* PAGE
The Report of 1883 on the condition of records..... 70
The Williamson Collection 71
The Martin Collection 72
The Shocco Jones Collection..... 73
The Wheeler Collection 71
The Hawks Collection 72
The Swain Collection 72
Records in London 73
Missing papers and proposed publication..... 73
The Resolution of 1883..... 74
The work of W. Noel Sainsbury..... 74
The act of 1895..... 75
The act of 1901 75
The work of Judge Clark..... 76

CHAPTER II—THE COLONIAL AND STATE RECORDS..... 78-99
I. Bibliographical 78
Summaries 83
II. Analysis of the materials printed..... 84
A. Organic law 85
B. Statute law 85
C. Journals of the Assembly, etc..... 86
a. Journals of the Governor's Council..... 86
Deputies 86
Council 87
b. Journals of the Assembly down to 1776..... 88
c. Provincial conventions, 1774-75 90
d. Provincial congresses, 1775-76 90
e. Journals State legislature, 1779-90..... 90
f. Journals Federal conventions, 1788, 1789..... 91
D. Executive and judicial records..... 91
Evolution of the judiciary..... 92
E. Military affairs 93
F. Revolutionary service and Genealogical materials..... 95
a. Military service 95
b. Civil service 96
c. Genealogy 96
G. Miscellaneous 97

CHAPTER III—SOURCES STILL UNCOLLECTED.....100-169
I. North Carolina Materials in English and Foreign Archives..... 101
A. The North Carolina volumes in the B. P. R. O..... 102
a. North Carolina land grants..... 104
b. North Carolina session laws..... 105
List of early Revisals and session acts..... 107
B. Miscellaneous North Carolina Documents in the B. P. R. O... 109
a. State Papers 109
b. Colonial Office Papers 110
c. Admiralty Papers 112
d. Audit Office Papers 113
e. Treasury Papers 114
f. War Office Papers 118

CHAPTER III—Miscellaneous North Carolina Documents—*Continued.* PAGE
g. High Court of Admiralty Papers 119
h. Admiralty Court Prize Papers 119
i. Cornwallis Papers 120
j. Shaftesbury Papers 120
k. South Carolina Papers 120
C. Miscellaneous North Carolina Documents in the British Museum and Other Depositories 120
a. Sloane Manuscripts 121
b. Additional Manuscripts 121
c. Privy Council Office 121
d. House of Lords 121
e. Friends' Reference Library 122
f. Royal Society 122
g. Rawlinson Manuscripts, C. 122
h. Clarendon Manuscripts 122
i. All Souls College 123
D. Miscellaneous Documents in the Royal Institution of Great Britain and in the Roman and German Archives 123
a. Royal Institution 123
b. Roman Archives 127
c. German Archives 127
II. North Carolina Materials in Government Archives in Washington 128
A. The Executive Offices 129
B. The Library of Congress 129
a. Original North Carolina material 129
Miscellaneous 129
The Greene Papers 130
The Continental Congress Papers and the Washington Correspondence 132
Papers relating to Loyalist claims 132
b. Transcripts from the B. P. R. O. 133
Colonial Office Class 5 133
c. Transcripts from the British Museum 136
Lansdowne Manuscripts 136
King's Manuscripts 137
Egerton Manuscripts 137
Sloane Manuscripts 138
Additional Charters 139
Additional Manuscripts 139
Rawlinson Manuscripts 140
d. The Stevens Facsimiles and the Stevens Index 141
Stevens Facsimiles 141
Stevens Index 141
III. North Carolina Materials in the Virginia State Library 142
A. Sainsbury Abstracts 142
B. DeJarnette Transcripts 145
C. McDonald Transcripts 145
D. Aspinwall Transcripts 145
E. Sparks Transcripts 145

CHAPTER III—SOURCES STILL UNCOLLECTED—*Continued.* PAGE

IV. Miscellaneous unpublished materials in public and private hands in North Carolina and elsewhere 146
A. In the State offices 146
Treasurer's Office 146
Secretary of State's Office 146
Auditor's Office 147
Historical Commission 147
B. The University of North Carolina 147
C. Miscellaneous Papers mostly in private hands 152
D. State and other newspapers down to 1801 154
List of known copies of North Carolina eighteenth century newspapers 155
E. Early Church Records 159
Baptists 159
Congregationalists 160
Lutherans 160
Presbyterians 160
Protestant Episcopalians 160
Quakers 161
Unitas Fratrum or Moravian Brethren 161
F. County Records 163
Nash on county records 164
Coon on county records 166
a. Marriage bonds 167
b. Official registers of births, marriages, and deaths 167
c. Wills and inventories 167
d. Deeds 168
e. Court records 168

CHAPTER I.

THE ATTEMPTS, PUBLIC AND PRIVATE, TO GATHER AND PUBLISH THE COLONIAL AND STATE RECORDS OF NORTH CAROLINA.

I. THE RECORDING AND PRESERVATION OF CONTEMPORANEOUS HISTORY.

A. Registration of Births, Marriages and Deaths.

Efforts looking to the recording and preservation of facts of public concern date from the earliest days of the colony.

It may be of interest to note that the regular and formal recording of deeds of sale was introduced to the English speaking world through the Fundamental Constitutions of Locke who found the system in Holland and first tried it out in the American colony of Carolina.

It was literally true also that no native Carolinian was anybody unless his birth was on record. The Fundamental Constitutions, section 86, provide: "The time of every one's age that is born in Carolina, shall be reckoned from the day that his birth is entered in the registry and not before"; no marriage was lawful till it had been registered "with the names of the father and mother of each party." Failure to report births and deaths was met with a penalty of 1s. per week.

It is evident that these provisions of the Fundamental Constitutions are the basis of Chapter 38 of the Revisal of 1715, which provides that in every precinct where there was no clerk of the church (and there were perhaps no clerks except in Chowan) the Registrar of the precinct should record all births, marriages and deaths. These were ordered to be reported to the authorities under penalty for neglect.

In 1735 the fee for registering a birth or a marriage was 1s., 3d.; for searching the records the fee was the same, and for copy of register and certificate it was double that sum. This statute remained the law until the Revolution, but was evidently not uniformly obeyed. In 1731 Governor Burrington had reported that the law was even then taken little notice of.

In 1767 Governor Tryon stated the whole matter succinctly, and also the reasons:

There is no regular register of births, burials or marriages kept in any county in the province, although prescribed by some of our acts of Assembly and a fee established for it. The reason for this neglect is chiefly owing to the extensive residence of most of the parishoners from the parish clerks or

readers in their respective parishes or counties, many of which are from forty to fifty miles square and upwards, besides most families having a private burying place on their plantations.

Our failure to find such registers in any except the very oldest precincts makes us realize the general truth of the governor's report. And yet Mr. J. R. B. Hathaway has found and published such a register for Berkeley Precinct.[1]

This register comes down well into the eighteenth century, with some entries as late as the Revolution. As published, it is incomplete, and yet it is of incalculable value to the student of early North Carolina family history. Mr. Hathaway states that he was able to find no similar register for the other precincts of the original county of Albemarle, but the existence of this register is the best possible argument that similar registers were undertaken in the older counties, possibly in most of those organized before the Revolution. Some of the people of colonial Carolina were well enough educated and aristocratic enough to desire a public record of their genealogy, and we may safely assume, I believe, that such registers were undertaken, however imperfectly they were executed.[2]

B. Revisals of the Laws.

After the law for the registration of births, marriages and deaths, the act of most importance to the historian is that for revising and codifying the acts of assembly. The first Revisal was made by the Assembly of 1715. As there was no printing press in the colony, no attempt was made to print this compilation, but twelve manuscript copies were made and distributed one to each county. These copies were kept on the clerk's table during the sitting of the precinct court and were audibly read from beginning to end during the first term in each year. It will be seen that copies of this Revisal were necessarily scarce and that many discrepancies would soon creep into them.

It would seem also that the multiplication of manuscript copies was not peculiar to the Revisal of 1715. It was perhaps a well recognized method of meeting the practical difficulties of the day, for in 1739 the lower house of the assembly proposed to order its clerk to fur-

[1]North Carolina Historical and Genealogical Register, III. 199-220, 363-410.

[2]It is of interest to note that the Assembly of 1913, going back to the precedent set by Locke's legislation for Carolina in 1669, passed a law requiring the registration of all births and deaths occurring in the State. This act is based on what is known as the Model Law, and is pronounced by the health officers as probably, with one or possibly two exceptions, the most important health law ever enacted by a North Carolina General Assembly; and the same may be said of it from the historical point of view. It stands as Chapter 109 of the Public Laws of 1913.

nish a manuscript copy of the laws since 1733 to each county. This resolution would indicate that copies of the session laws from 1715 to 1733 had already been furnished to the counties in manuscript and that formal publication of their contents had been made in this way.[1] But even as small a matter as this could not go through the North Carolina assembly without a renewal of the eternal wrangle between the two houses over the question of privilege, and it seems that the motion was lost.

At best, the manuscript method of publication was full of danger. In 1736 Governor Johnston writes to the assembly on the condition of the laws as follows:

> Upon the strictest inquiry I can't find that there is one complete copy of them in any one place, neither have I yet seen two copies of them which perfectly agree . . . most of them either appear under ridiculous titles, are full of contradictions, or their language and style is childish, ridiculous and against the common rules of grammar. As the happiness of every private man depends upon the laws, I think that is a grievance which can never too soon be redressed.

The assembly, in its reply, said a revisal was "a matter of the greatest importance," and that they would "be glad to see it well executed." Then they thought that their whole duty was done. But finally, in 1746, a committee of revision was appointed. This committee omitted all the laws that had expired or become obsolete, and in 1749 reported to the assembly that the Revisal was completed. It was first printed in 1751, and again in 1752, with additional laws. It is called Swann's Revisal, from Samuel Swann, one of the revisers who reported the work to the assembly, but in popular parlance has long been known as the Yellow Jacket, from the color of the leather binding. Other editions and revisals were printed in 1764 and 1765, 1773, 1791, etc., and have been of the highest importance to the historian, as they are our main source for the great body of colonial and Revolutionary law.

The Revisals of 1751, 1752, 1764, 1765, and 1773 were all printed in Newbern by James Davis, who had been induced to come down from

[1]That this was the regular method of publication is shown by a law of 1720 which provides, in order that "all and every person may come to the knowledge of their duty herein," that "the clerk of the Lower House of this present Assembly . . . do within ten days after the ratification of this act send fair copies of this act to the clerks of every precinct court in this Government, who are forthwith required to publish the same by affixing a note at the precinct court house and all other public places, as churches, reading meeting house doors, in their several precincts."—State Records, XXV. 166. See also the following receipt: "July 23, 1718, Recd of E. Moseley thirty pounds being for five copys of the Laws, 3 of them being in ye book of Claimes Novr 1717 & other 2 since. J. Lovick."—N. C. H. and G. Reg., III. 148.

Williamsburg, Va., with his press and types and set up as public printer to his Majesty's province of North Carolina. His was the first press in the colony, and the date of his official entrance into office as public printer was June 24, 1749. Burrington said in 1731 that "encouragement" had been given looking toward the printing of the Revisal of 1715, but it was not done while the Revisal was in force, and after it was superseded by the Revisal of 1751 the immediate need for such publication had passed. The manuscript copies were neglected and no complete copy has ever come to light; but fortunately two incomplete copies which supplemented each other were found during the last century, and from these a complete manuscript copy was made, but it was never printed entire till the publication of the present series, where it appears in volumes 23 and 25. The manuscript Revisal appears there in complete form, but unfortunately many laws are missing for the period between 1715 and 1751, and even later, for the originals have been lost and neither manuscript nor printed copies have as yet been found; but, since it seems reasonable to conclude that manuscript copies were made of the session laws between 1715 and 1733 at least, it is possible that other manuscript copies may yet come to light which will in part at least fill the great gap in the session laws between 1715 and 1751. After that date the lacunæ are comparatively small.

In the later Revisals, those printed in 1764, 1765, 1773, and 1791, temporary and repealed laws were omitted; but since the laws were printed regularly from 1750 it ought to be possible for us to find, either in the State or in England, enough materials out of which a complete set of the session laws after 1750 may be reconstructed. Some material of this kind has come to light in the last few years, and was used by Judge Clark in the present compilation.

Nor does it seem unreasonable to think that careful study may yet reproduce the essential principles of many of the early acts, even if their text itself has disappeared. My own studies of the early laws of North Carolina and of similar laws found in Hening's Statutes at Large of Virginia lead me to the conclusion that a careful comparison of the two will enable us to restore essentially a large part of the early legislation of Carolina that has been lost. When we remember that the great majority of the first settlers of North Carolina came from Virginia, and that North Carolina was under the hegemony of Virginia throughout the whole of the colonial period, nothing seems more natural and reasonable than that her laws should have been brought down and reënacted, *mutatis mutandis,* in the wilds of Carolina. Some of the

North Carolina acts that have survived, *e. g.,* the Servants and Slaves act of 1741, furnish the clearest internal evidence of their Virginian origin.

Indeed, the conditions of American frontier life, being essentially the same, demand essentially the same treatment, and while indexing the early Carolina laws governing the dealings of white men with the Indians I was forcibly struck with the similarity of those laws to the laws of the Federal Government in its dealings with the Apache Indians, among whom I was then living.

A list of the Revisals published prior to the Revolution and of the session laws published prior to 1801 will be found as a part of Chapter III.

C. Other Colonial and Early State Efforts.

Besides the law requiring the registration of births, marriages and deaths, and those governing the various revisals, numerous other efforts were made looking to the recording and preservation of historical materials.

We have the title of an act passed in 1738 appropriating £2000 in current bills for "a sufficient gaol and office place for the safe keeping the records of the General Court," etc. These offices were to be located in Edenton, and for the public records to have commanded enough respect to be placed in the same category with the gaol is certainly increasing recognition of their importance. But this act is marked obsolete in the Revisal of 1751, and it is to be feared that its terms were never fully met.

Besides, in 1740, the house of commons, after resolving that Edenton was the proper place for the office of the secretary of state, recites that the public records had been removed to Cape Fear, where they were kept in the house of the secretary and were in danger of being lost, altered, erased, or scattered, "to the great prejudice of the inhabitants." They then ask the governor to have a care for the records or to see that representatives of the assembly be allowed to "inspect and take a list or catalogue of all records and other material papers" to prevent further mischief.

Thus we see that the lack of a fixed capital had disastrous effects on the preservation of public records. In 1740 Governor Johnston said "the papers and records of the several offices are so dispersed that I am frequently obliged to send from one end of the province to another for them."

The assembly that year passed a law for "the better securing and safe keeping the records" of the several counties. It provided for the appointment of more capable county registrars, but this office was one of the perquisites of Nathaniel Rice, then secretary of state, and he presented to the British authorities a strong protest against this act. In his protest he was joined by Edward Moseley and the bill was disallowed in January, 1743. In the same year it was said that Rice kept "one of the secretary's offices in his own house near Brunswick, a second office is kept in Edenton and a third in Newbern and a fourth in Edgecombe county." This reminds us of the wide scattering of educational institutions of the present day, and while perhaps the policy of dispersion may be good for education, it certainly is not sound for the preservation of original records.

Governor Johnston reverts to the subject in 1747, and urges the assembly to fix on a capital and erect public buildings. He says:

> When your dealings were but small and navigation inconsiderable . . there was then no great hardship in continuing the seat of government where it has been for several years past, in allowing the officers to keep the public records in their private houses. . . . But now, . . . when the province is peopled quite up to the head of Pee Dee River . . . it is highly necessary to appoint a place nearer the center of the country where his Majesty's courts may be held, where offices may be built for keeping the public registers.

The assembly made a fair reply:

> The many inconveniences arising from the unsettled way in which the public offices and records have been kept are so strongly felt that we shall carefully consider of a proper place where the public business may be transacted for the future without hurry and confusion.

Then follows an ominous line as to public funds, and the assembly sat down to consider. After a period of thought covering more than twenty years the beautiful palace rose in Newbern, which was in its day the finest building in British North America and was said by Francisco de Miranda to be without an equal in South America, but it hastened the revolutionary movement in North Carolina and, after a checkered existence of about thirty years, went up in flames in 1798.

In those days, even as now, the public archives suffered by the retention of public documents in the hands of retiring officers. In 1753 Matthew Rowan, then acting governor, wrote to the Board of Trade:

> The public papers have come through so many hands of late that I am the less surprised at so few of them being delivered to me; but I shall cause strict search to be made and the papers of the late Governor [Johnston] and President [Rice] by their executives for such as yet remain.

In 1754 Governor Dobbs complains that "for want of proper places to keep the offices in and to preserve records upon account of the changeable state of this province" whenever an officer "dies, all papers die with them, for the successors say they have got no papers, or, if any, those very insignificant, from their predecessors." He adds that this is because the officers are improper persons, who know nothing of their business and leave it all to clerks, who "only work for themselves, and not for the public."

In 1760 Governor Dobbs removed the books and records of the secretary's office to Wilmington. This action drew a sharp resolution from the assembly. Indeed, the eternal quarrel that went on between the governor and the lower house brings out time and again the condition and location of the records, but beyond mere resolutions and idle fulminations, so little was done to preserve them that we are tempted to believe that the North Carolina democracy of that day was a party of opposition merely. Thus in 1760 the governor is denounced for having the records removed to Wilmington, but it seems that the secretary took only such papers as could be moved without trouble. In 1763 he was ordered not to open the cases in which they had been transported, except in the presence of witnesses, who were to make a list, and a little later we find Thomas Rutherford and James Clark, his deputy, appearing before the governor and council with a sworn list of "all the books of record for this province, and also of all wills, bonds, inventories, and other papers belonging to the secretary's office which have been brought from Newbern and Halifax."

But while the assembly was quick to criticise the governor for his shortcomings, its own clerk had to report to the house in 1768 that, "for want of a proper place for depositing and safe keeping" the papers of the assembly, some of them were eaten by mice and rats, that others were totally destroyed, and that those which were still perfect were inaccessible. The assembly thereupon ordered him to file the papers belonging to the house in proper cases, to copy the journals since April, 1760, and provided payment for his labor. It does not seem, however, that he did his duty, for the provision was renewed in 1771. In that year the public records were returned from Wilmington. Governor Tryon reports on January 2, 1771, that they "are safely arrived in town." They were lodged in the Governor's Palace and rest was assured them for a time.

It may be that the removal of the records to Wilmington had something to do with the law of 1760 which took the care of wills out of the

hands of the secretary of state. All wills of date prior to 1760 are supposed to be now in the secretary of state's office in Raleigh. The habit of sending them there seems to have ceased with that year, when a new law was enacted (proposed as early as 1755) which provided that "all original wills" should remain in the clerk's office in the respective counties. This law seems to have worked a hardship, for in 1764 we find John Rutherford, the receiver general, proposing that abstracts of deeds, mesne conveyances and wills should be furnished to the central authorities for use in settling the various questions growing out of the quit rents, and a law of 1754 had required that abstracts of wills should be furnished by the secretary to the auditor general.

On the other hand, a law of 1754 bewails the loss of many "original wills, patents and deeds . . . for want of convenient offices to keep the same." In 1750 the records of Onslow were destroyed in a storm; in 1770 those of Bladen suffered from fire. It was perhaps the latter misfortune which caused the assembly, after reciting that "through the neglect and mismanagement of persons, who have heretofore been registers in this province, many of the books wherein the conveyances of lands within several of the counties are registered, are so abused and defaced as to be almost unintelligible and in danger of being entirely lost," to enact that the justices of any county might appoint a suitable person to collect "all the books or papers wherein are registered the conveyances of land" and to make "a Fair Copy of the same into a Book or Books well bound in Calf or Vellum." Proper steps were also taken to protect these copies from forgeries and blunders and to validate them. No doubt the main, perhaps the only, object in the minds of these legislators was a business one, but their service to history is none the less because they thought only on the utilitarian side of their act.

Another act which made for the preservation of the records was that part of the Court Act of 1774 which required that the clerk of the inferior court should report annually in October to the secretary of state "a list of all certificates for obtaining probates, or administration granted by their respective courts from time to time, containing the names of the testators or intestates, their executors or administrators and the names of the securities." This list was to be recorded in the secretary's office. Had this law been regularly observed, what a wealth of historical material it would have furnished! So far was the reality from the law, however, that the assembly in 1777 had to pass an act to rescue the records of Bladen County from the hands of Maturin Colvill, a former registrar, and in 1778 the same was done to get those of Duplin from James Sampson.

In 1783 a bill for the "preservation of records" was introduced into the North Carolina assembly, but failed to become a law. In 1784, however, the assembly, moved by the hope of collecting military expenses out of the Federal Government for services rendered in the Revolution, passed an act directing the governor to collect complete muster rolls of all the state militia that had been in service at any time after April 19, 1775, and along with them all letters from general officers of the United States, all orders calling the militia into service, letters from Continental officers to the state executive and all materials in the hands of the state comptroller that would strengthen the contention of the State. This law—certainly so far as the muster rolls of the militia were concerned—was never executed. Indeed, it is more than probable that many companies never had muster rolls, especially those that were fighting the Indians, and in this way priceless historical treasures have been lost to posterity and many persons entitled to membership in the patriotic societies by reason of honorable service of ancestors can never hope to prove their claims.

In 1786 the delegates in Congress were instructed to secure from the Federal war office the original muster rolls of the North Carolina Continental Line, or authenticated copies of the same. In this connection Governor Caswell writes to William Green that he hopes a full inquiry will be made and "justice done the state." He then adds, significantly and characteristically, "but I am not at liberty to draw for money on the occasion." The state was willing to have its history preserved, but it must be done without cost to the commonwealth—a spirit of which no inconsiderable trace came down to a much later day.

The assembly had the same general purpose in mind in 1787 when a resolve required that retiring governors, or their representatives, should within twelve months lodge with the secretary of state all public documents of every kind received during their term of office, and the clerks of the two houses of assembly were required to file all documents in their possession within the same time. The same assembly made an effort to recover the record books of Earl Granville's office which were said to be at that time in the hands of "divers persons in this State," and the resolution was made to recover any other public records that might be in private hands.

Indeed, the necessity of presenting a strong case to the Federal Board of war claims was no doubt responsible for much of the war material that has been saved to us. In 1789 Abishai Thomas, the agent of North

Carolina to the Federal Government, enumerates some of the classes of materials that would be of assistance in advancing his cause:

All the resolves and proceedings of our several provincial and state congresses and Committees of Safety relative to raising, equipping, supplying, and paying men for continental, militia and minute service; all the acts of assembly which have passed for the purpose aforesaid, the acts and proceedings of the governors and councils during the war, of the State Board of War and Council Extraordinary, from all of which I have no doubt but valuable information may be obtained, more especially with respect to our claims for militia services and supplies, and as those claims are in numerous instances not covered by resolves of Congress it will also be necessary to collect the letters and orders of the generals commanding and other Continental offices in the Southern Department, and it may likewise be necessary to collect such laws as have passed for establishing Board of Auditors, &c., for liquidating claims, whereby we may be able to shew that we exhibit none but such as we actually paid, or assumed to pay.

In December, 1789, the assembly resolved:

That General Clark be requested to deliver to Doctor Williamson such musters or papers as may be of use in establishing the charges of this state against the United States. . . .

And it resolved further:

That the comptroller be required to collect such musters, pay rolls or other books or papers from amongst the papers of the late Generals Sumner and Hogan, and of Colonels Dixon and Lytle as may be of use in determining the service performed by the Line of this state, and that the executors of those gentlemen be requested to furnish the comptroller with such papers.

As we have no reports, we can only judge what was accomplished by the comptroller under this order from what has come down to us of the papers included in the resolution and which are now preserved in the auditor's office.

The state has also from time to time made efforts to preserve by copying records already in its possession. In 1800 the records of grants and patents, 1663 to 1767, contained in 13 old books, were copied, and by the same act the secretary of state was directed whenever he should know of books and papers in the hands of county clerks or private individuals that belonged of right to his office to sue for and recover the same. In 1813 the land grants 1734 to 1769 were ordered copied and certain other record books were rebound. In like manner the state has authorized individual counties to copy their old records. Of course, the main purpose in this work was not historical, but a mere matter of

business, and service to history was merely incidental (Bertie about 1795, Franklin in 1801, Wake in 1822, Northampton in 1830, etc.).

In 1824 the assembly even authorized the secretary of state to expend $250 in making such alterations in the doors and windows of his office as would "as far as practicable" preserve the records against depredation and fire. But it refused to put Canova's marble statue of Washington on rollers, and that famous piece of the great sculptor's handiwork was lost in the burning of the capitol in 1831. Nor have the counties been free from similar misfortunes. Onslow lost her records by storm in 1750; Bladen suffered by fire about 1770; Hertford suffered in the same way in 1830; New Hanover and Richmond in 1831; Gates in 1832; Duplin about 1835; Pitt about 1858; Pasquotank in 1862; Washington and perhaps other counties at dates unknown.

It has doubtless been remarked already by the careful reader that during the colonial period both people and government were occupied mainly in the making of records; that such efforts at preservation as were actually undertaken viewed the matter as one of immediate practical import, and that the services rendered to history were subsidiary to business needs. This was also the case during the first half century of the life of the independent state, the single exception recalled being that of Alexander Martin, who while governor, 1782-83 and 1789-91, caused a manuscript copy to be made of the correspondence of Gov. Alexander Spotswood, of Virginia, so far as it related to North Carolina, for the use of the future historian. But when we get down to the period of 1826-27 we see that the viewpoint of the state was beginning to change. Practical purposes had by that time been relegated to the rear, and the action of the state was then avowedly undertaken in the interest of history *per se.*

II. THE WORK OF INDIVIDUAL STUDENTS IN GATHERING HISTORICAL SOURCES.

Up to this point we have discussed only the efforts of the State as a whole to preserve, not to publish, its records. It is now proper to consider briefly the work of the early historians, and inquire how far their work in compiling their respective volumes was of service in bringing together and preserving the materials on which the narrative history of the State must be based.

A. George Chalmers.

Leaving out of account those who wrote from personal knowledge of events, like Hariot, Ash, Lawson, Brickell, and Hewatt, perhaps the

first student of importance who studied to any extent the colonial history of North Carolina was George Chalmers. He published in 1780 his "Political Annals of the Present United Colonies from their Settlement to the Peace of 1763" (London). In 1782 he printed the first volume of his "Introduction to the History of the Colonies, giving from the State Papers a Comprehensive View of the Origin of their Revolt." But the American war was then nearing its end, and it seemed best to Chalmers to suppress his work rather than offend the ministry.

Chalmers' volumes were undoubtedly based on material secured from the archives of the Board of Trade. Six bound volumes of his papers, relating mostly to New England, were purchased by Jared Sparks and are in the Harvard University Library, but are not important. Two large volumes of his notes and transcripts also came into the hands of George Bancroft and were used by Dr. Hawks and Mr. William James Rivers in their work on North Carolina and South Carolina respectively. Mr. Bancroft concludes, from his own use of the printed Annals and the manuscripts, that "Chalmers' account in all cases of the kind must be received with great hesitancy. The coloring is always wrong; the facts usually perverted. He writes like a lawyer and disappointed politician, not like a calm inquirer."

The "Political Annals" show that Chalmers had access to papers not otherwise known at that time. Williamson says that he applied to him for assistance on his own work, but was curtly refused and threatened should he make other efforts, but at a later period Grahame secured the use of these papers for his History of the United States. He seems to have derived little assistance from them.

Thomas Thorpe's "Supplement to a Catalogue of Manuscripts" (1843) contains, among other items, "No. 669, Letters and State Papers relating to Carolina, 1662-1781," 2 vols. This is supposed to be the same as the two volumes which came into Mr. Bancroft's hands.

B. Hugh Williamson.

Dr. Williamson, in the preface to the first volume of his History of North Carolina, tells of his search for original documents and the success which attended his efforts:

> The books that contain the proceedings of the governor's council, the journals of the legislative assembly, and other documents that remain in all the public offices in the state, have been consulted. Information, little to be expected from such records, has also been obtained from dockets of the supreme courts. Extracts of laws that were never printed, powers of attorney, copies of affidavits, and much heterogeneous matter, were inserted in

those dockets, in the infant state of the colony, beside a general abstract of the pleadings. The late C. Pollock was pleased to favor me with the letter book of his ancestor, who had been thirty years deputy to one of the Lords Proprietors, and governed the province, at different periods, as president of the council. I am also indebted to the letter book of Alexander Spotswood, who was lieutenant governor of Virginia, near the beginning of the eighteenth century. General Waddell, who deservedly possessed the confidence of Governor Dobbs and Governor Tryon, used to preserve every letter and instruction directed to him, while he served the province in a civil or military capacity. His descendants, in the most obliging manner, were pleased to send me all the documents of a public nature that had been found in his cabinet. I have received much information, on detached subjects, from some of the most ancient and respectable citizens in the state, who continue to serve the country, and from others who have lately been numbered with the great majority.

A gentleman, from Bern in Switzerland, had the goodness to furnish me with a large file of letters, in a corrupt German language, written by the Baron de Graffenried, respecting Carolina.[1]

Of the debates that have arisen between the several governors and the legislative assemblies, and the disputes between the proprietary agents and the people, I was furnished with copious details. . . .

There are chasms in the journals, and records remaining in the secretary's office, that were obviously occasioned by public commotions. Those defects would have been most conveniently supplied, by reference to records in a public office in London. Much research became necessary, to supply, as far as possible, those accidental defects. The governors lived, and the assemblies met, at so many places, that ancient records are greatly scattered. Copies of instructions to the governors are sometimes entered on the journals of the councils; but copies are missing of some laws that have not been printed. Mr. Chalmers in his "Annals of the United Colonies," availed himself of the papers that are in the Plantation Office. He promised a continuance of those Annals. It was a ministerial work, written during the revolution war; and the apparent object was to prove that the colonists had no claim to being exempted from taxation by the British parliament. But that question being settled, by the treaty of peace, the further labors of Mr. Chalmers, in that field, were not required. As I wished to get a copy of certain papers, that come under the Carolina head, I hoped, for the reason stated, that Mr. Chalmers, who was employed as a clerk in a public office, would furnish my friend with a copy, or assist him in obtaining one. He would do neither; but threatened to interfere, if application should be made to the head of proper department.

C. François Xavier Martin.

Of his work in collecting materials relating to the colonial period, François Xavier Martin says in the preface to his History of North Carolina (New Orleans, 1829):

Imperfect as the present publication is, it began to engage the attention of the writer as early as the year 1791: at that period, the legislature of North

[1]Query: Is this the German material relating to De Graffenried which has just come to light and is now being published?

Carolina afforded him some aid in the publication of a "Collection of the Statutes of the Parliament of England" then in force and use within that state. In preparing that work he examined all the statutes from Magna Charta to the Declaration of Independence, and an arrangement of all of those which related to America afforded him a complete view of the colonial system of England. In 1803 he was employed by the same legislature to publish a revisal of the acts of the general assembly, passed during the proprietary, royal, and state governments, and the local information he acquired in carrying into effect the intentions of those who employed him suggested the idea of collecting materials for a history of the state; and when afterwards he had the honor of representing the town of Newbern in the house of commons he was favored with a resolution of the general assembly authorizing the secretary of state to allow him access to the records of his office. In the speeches of the governors at the opening of the sessions of the legislature he found a reference to the principal transactions during the recess, and there were few important events, particularly relating to the state, which left no trace on the journals of the legislature, or the proceedings of the executive.

During several journeys which he afterwards made to several parts of the country, he received considerable information from individuals. Mr. George Pollock of Newbern confided to him an official letter book and several documents left by one of his ancestors who came to the county of Albemarle in the latter part of the seventeenth century, and who, in the beginning of the following, exercised the functions of chief magistrate over the northern part of Carolina. The late Governor Johnston, a nephew of Gabriel Johnston, who presided over the affairs of the province from the year 1734 to 1754 (*sic*); Governor Smith, who was in possession of the papers of President Rowan, and Governor Ashe, whose ancestors were among the earliest settlers of the country, afforded considerable materials. The gentlemen in possession of the records of the Quaker meetings in Perquimans and Pasquotank counties, and the head of the Unitas Fratrum, or Moravian Brethren, cheerfully yielded their assistance. . . .

The writer imagined he had collected sufficient materials to justify the hope of producing a history of North Carolina worth the attention of his fellow citizens, and he had arranged all those that related to transactions, anterior to the Declaration of Independence, when, in 1809, Mr. Madison thought his services were wanted, first in the Mississippi territory and afterwards in that of Orleans; and when the latter territory became a state, the new government thought proper to retain him.

He had entertained the hope that the time would arrive when, disengaged from public duties, he might resume the work he had commenced in Carolina; but years have rolled away without bringing on this period; and a shock his health has lately received during the year of his great climacteric, has warned him that the moment is arrived when his intended work must engage his immediate attention or be absolutely abandoned.

A circumstance, for some time, recommended the latter alternative. The public prints stated that a gentleman of known industry and great talents, who had filled a very high office in North Carolina, was engaged in a similar work; but several years have elapsed since and nothing favors the belief that the hopes which he had excited will soon be realized.[1]

[1]A. D. Murphey, see *post*.

This gentleman has made application for the material now published, and they would have been forwarded to him, if they had been in a condition of being useful to any but him who had collected them. In their circuitous way from Newbern to New York and New Orleans, the sea water found its way to them: since their arrival, the mice, worms, and the variety of insects of a humid and warm climate have made great ravages among them. The ink of several very ancient documents has grown so pale as to render them nearly illegible and notes hastily taken on a journey are in so cramped a hand that they are not to be deciphered by any person but him who made them.

The determination has been taken to put the work immediately to press in the condition it was when it reached New Orleans: this has prevented any use being made of Williamson's History of North Carolina, a copy of which did not reach the writer's hands till after his arrival in Louisiana.

The expectation is cherished that the people of North Carolina will receive, with indulgence, a work ushered to light under circumstances so untoward.

Very ample notes and materials are ready for a volume relating to the events of the revolutionary war, and another detailing subsequent transactions till the writer's departure from Newbern in 1809. If God yield him life and health and his fellow citizens in North Carolina appear desirous these should follow the two volumes, now presented to them, it is not improbable they will appear.

This long extract has been made from Martin's preface (the most remarkable blunders only being corrected in the copy) not to show how much material he had collected as to show what he had not done. He says that he had made some use of the legislative journals and documents then in the State, that he had seen Pollock's letter book and the records of the Quakers. A comparison of his account of that body with their records will show to what poor use he put the materials that he received. In fact, they show clearly that he either could not or would not tell the truth when he had it before his eyes. All things being considered, we may be thankful that his "fellow citizens in North Carolina" did not manifest enough interest in his compilations to encourage him to publish the other two volumes as he threatened.

Since this is the case, we may also exclude Martin along with Williamson from the ranks of those who collected and made use of any original materials in their work, beyond those that came immediately to their hands.

D. Archibald DeBow Murphey.

The next historian whose work is treated in this survey belongs in an entirely different class from Chalmers, Williamson, and Martin. Before the name of Murphey all North Carolinians uncover. He had the instincts and feelings of the scholar, the enthusiasm of the collector, and, if judged by the outline of his proposed work, is the greatest of all

students of North Carolina history. In boldness of outline, in breadth of view and firmness of grasp of the subject as a whole, he surpassed not only his contemporaries, but all those who have come after. But it was Murphey's fate to be ahead of his day. The man was ready, but the times were not; he could not force them, and there were no disciples in that generation to take up the work of this protagonist of historical learning. His work as it has come down to us is hardly a torso, for of all the materials collected by him only a few fragments have been saved. But in the scope of his work Murphey was far ahead of all competitors and furnished a scheme of historical work which measures up to the modern German ideal of Social History—their *Culturgeschichte.* It covered every phase of the life of the State, and was so comprehensive that no succeeding writer has dared to undertake to fill in his outlines.

Murphey's career has another interesting phase in the fact that he was the first native historian of the State. We are able to give his own account of the development of his enthusiasm for the subject in his own words. In a letter to General Joseph Graham on July 20, 1821, he says:

* * * Your letter to Col. Connor first suggested to me the plan of a work, which I will execute if I live. It is a work on the history, soil, climate, legislation, civil institutions, literature, &c., of this State. Soon after reading your letter, I turned my attention to the subject, in the few hours which I could snatch from business, and I was surprised to find what abundant materials could, with care and diligence, be collected; materials which, if well disposed, would furnish matter for one of the most interesting works that has been published in this country. We want such a work. We neither know ourselves, nor are we known to others. Such a work well executed, would add very much to our standing in the Union, and make our State respectable in our own eyes. Amidst the cares and anxieties which surround me, I cannot cherish a hope, that I could do more than guide the labors of some man who would take up the work after me and prosecute it to perfection. I love North Carolina, and love her the more, because so much injustice has been done to her. We want pride. We want independence. We want magnanimity. Knowing nothing of ourselves, we have nothing in our history to which we can turn with feelings of conscious pride. We know nothing of our State, and care nothing about it.

It adds to one's mortification on this subject, that the printers of this State are so little minded, that one will not copy from another any article of public interest which is communicated. If papers were sent for publication to New York, they would be copied from the New York papers in all the papers of this State; yet if sent to Raleigh, Hillsboro, Salisbury, &c., they will be found in only that paper to which they are sent. The editors at Fayetteville form an honorable exception. They search out and give place to everything they can find respecting North Carolina—a man can't write for every paper, and

no one paper has a general circulation—much more would be written, if all the papers would give it publicity, because more information would therefore be distributed through the community. We want some great stimulus to put us all in motion, and induce us to wave [*sic*] little jealousies and combine in one general march in one great purpose. * * *

. . . Extracts from the work, as first written, without corrections, will be published in the (Hillsboro) *Recorder*.

In December, 1825, Judge Murphey presented his first memorial to the Legislature with the outline of his proposed History. This memorial is here reprinted from an original copy in the Mangum Correspondence. It includes a few manuscript corrections made by Judge Murphey:

To the Honorable, the General Assembly of North Carolina, The Memorial of the Undersigned Respectfully shows,

That he has been engaged for several years in collecting and arranging materials for an extensive Historical and Scientific Work on North Carolina. His success thus far has equalled his expectations; but he finds himself unable to prosecute this work to its completion, without the munificent aid of your honorable body. Few gentlemen in North Carolina have estates sufficient to bear the expenses and losses of such an undertaking. For independent of the direct expenses in travelling over several of the adjoining states, and carefully exploring every section of this State, for the purpose of collecting materials; and the further direct expense of engaging the services of eminent men in science, in the departments of Geology, Mineralogy and Botany, the author must in a great degree abandon all other pursuits and devote his time and attention to this alone. Such a work will be voluminous, and cannot be expected to yield a profit to the author, particularly if published in a style worthy of the State. Your memorialist herewith submits an outline of the plan of this work; and if your honorable body be disposed to patronize it, he solicits permission to have access to the public records of the State, and also solicits such aid in the prosecution of this work, as will enable him to complete it. When completed it will add something to the general literature of the country, and much to the credit of North Carolina.

A. D. MURPHEY.

Orange, 5th December, 1825.

PART I.

AN ACCOUNT OF THE DISCOVERY OF AMERICA.

The state of mathematical, astronomical, geographical and nautical science in Italy, during the pontificate of Leo the Tenth—The form of the globe and the revolution of the heavenly bodies, ascertained—The causes which induced men of science to believe that a continent existed to the west of Europe—Conjectures of Toscanelli on the discovery of a passage by sea to the East Indies—his correspondence with Columbus on this subject—Discovery of the Azores—Voyages of Columbus—Discovery of the West Indies and of South America—Voyages of John and Sebastian Cabot—Discovery of North America.

PART II.

THE ABORIGINAL HISTORY OF NORTH CAROLINA.

Fossil remains—The Indian tribes—Three great tribes, the Tuscaroras, the Catawbas, and the Cherokees—The territory possessed by each—Their wars—Decline of the Tuscaroras and Catawbas—Extent of the Cherokee dominion—Military force of those tribes—Numerous small tribes—Their names—Population—Settlements.

The moral, social and intellectual character of the Indian tribes in North Carolina—Their manners, customs, sports, mode of living—Their temper, hospitality, religion, superstition.

Their government and civil policy—Their manner of administering justice.

Condition of their females—Marriages, divorces.

Religious ceremonies—Mournings for the dead—Feast of souls—Green corn dance, &c.

Their preparation for war—Songs—Dances—Their mode of warfare—Their treatment of their prisoners of war.

Similarity of the character of the Indian tribes, of their religion and religious ceremonies, of their government and manner of administering justice, of their manners, customs and sports, with those of the ancient Israelites.

PART III.

THE COLONIAL HISTORY OF NORTH CAROLINA.

1. Civil and military history—in which will be given a detailed account of the efforts to plant a colony in Carolina.
   Of the charters which were granted for this purpose.
   Of the expeditions of Sir Walter Raleigh, and his final success in planting a colony on the waters of the Chesapeake.
   Of the life, character, trial and execution of this extraordinary and chivalrous man.
   Of the proprietary government of the colony.
   Of the royal government of the colony.
   Of the frauds and corruptions of the officers of justice.
   Of the progress of the settlements and formation of counties.
   Of the different plans adopted for governing the colonies.
   Of the vices of each plan of government.
   Of the commencement and progress of the contest between the prerogative of the Crown and the liberty of the subject.
   Of the exactions and frauds of Lord Granville's agents.
   Of the rise, progress and termination of the Regulation.
   Of the imprudent pretensions of the mother country, and the arbitrary acts of the colonial governors.
   Of the firm and steady conduct of the colonial assemblies.
   Of the open rupture between Governor Martin and the colonial Assembly —his withdrawal from the colony.
   Of the assembling of a convention at Hillsborough in 1775—their acts and resolutions.

Of the assembling of a convention at Halifax in the spring of 1776, for the purpose of adopting a new plan of government.
Of the forming of the constitution of the State.
Of the organization of the new government.
Of the Declaration of Independence by the people of Mecklenburg County in 1775.
Of the Cape Fear Association.
Of the formation of Committees of Safety in the several counties—Their powers—The terror they inspired—The safety they afforded to the friends of the revolution.
Of the progress of public discontent.
Of the meeting of the Continental Congress at Philadelphia in 1775.
Of the articles of confederation.
Of the Continental Congress of 1776—Their acts.
Of the Declaration of Independence by Congress on the 4th July, 1776.

2. Historical view of the colonial legislation.
3. Judicial history of the colony.
4. History of manners, including a view of the state of slavery, during the colonial government.
5. History of religion in the colony—Feuds between the Episcopalians and the Dissenters—History of those feuds—Political effects produced by them.
6. History of the bills of credit emitted by the colonial assemblies—The amount of each emission—For what purposes emitted—Plans adopted for redeeming these bills—Pernicious effect of these emissions upon the morals and prosperity of the colony.
7. Territorial extent and divisions of North Carolina during the colonial government.
8. Statistics of the colony—Population—Military force—Revenue—Commerce—Produce of the soil—Of the forest—Of the fisheries—Of the iron mines, &c.

PART IV.

HISTORY OF NORTH CAROLINA FROM THE TIME OF HER BECOMING A SOVEREIGN STATE IN 1776.

1. Civil and military history of the State—including a general view of the British colonies from the treaty of 1763, to the Declaration of Independence in 1776.

An account of the war with the Cherokee tribe of Indians in 1776—The causes of this war—Simultaneous movements made by the States of South Carolina, North Carolina and Virginia, against the Cherokees—Incidents and events of these movements—Termination of this war—Treaty at the Long Island of Holstein—Various incidents during the negotiation—Political effects produced by this treaty—Safety thereby given to the frontier settlements during the Revolutionary war.

The friendship of the Cherokees further secured by the treaty of Watauga, entered into between them and Richard Henderson & Co. for the purchase of an extensive part of their lands—History of this purchase—Its extent—Terms—Refusal of the States of Virginia and North Carolina to recognize a right in individuals to make purchases of lands

from the Indian tribes—Memorial of Richard Henderson & Co. to the Virginia Assembly—Burke, afterwards governor of North Carolina, as counsel in support of the Memorial—The States claim the benefit of the purchase and each State gives to Richard Henderson & Co. 200,000 acres of land.

An account of the measures adopted by North Carolina for the prosecution of the war—Organization of her Continental Line—March of the regiments to join the Northern Army under Gen. Washington—Preparations for this march—State and condition of the troops as to clothing and equipments—Poverty of the State.

An account of the administration of Governor Caswell—Attempts made to embody the royalists in North Carolina—Assemblage at Moore's Creek Bridge—Defeat and dispersion of the royalists at that place.

Incidents and events of the war in the Southern Department—Measures adopted by the Assembly of North Carolina relative to the war—Depreciation of the Continental currency—Certificates issued in North Carolina, as the only expedient for prosecuting the war—The depreciation.

History of the Revolutionary war until its close—including a detailed account of the military operations in North Carolina during this period and of the measures adopted by the General Assembly.

Provisions made for the officers and soldiers of the Continental Line of North Carolina.

Condition of the State at the close of the Revolutionary war—Sacrifices made by the State in the contest—Number of troops furnished in the Continental Army—Amount of certificate debt incurred by the war.

State of society during the war—Suspension of the courts of justice—Energy of the Committees of Safety.

Progress of society and manners after the close of the war—Restoration of the authority of the law—Appointment of Alfred Moore, attorney general—Appearance of William R. Davie at the bar—Influence of these gentlemen upon the state of manners, and in inspiring respect for the laws and for courts of justice.

Political condition of the state from the close of the war to the meeting of the Federal Convention—Formation of the Federal Government—Proceedings of North Carolina on the Federal Constitution—Its adoption.

Cession of Tennessee to the United States—Causes which induced North Carolina to make this cession.

Establishment of the University of North Carolina—Funds set apart for endowing it—History of this institution—The difficulties it has encountered—Its resources, plan of education, present condition and future prospects.

Political history of North Carolina from the adoption of the Federal Constitution—Origin of political parties—Causes why North Carolina has not occupied her proper place in the Confederacy.

2. Historical review of the legislature of the State.
3. Judicial history of the State.
4. History of manners, including a view of the state of slavery, since 1776.

5. History of religion, and of religious sects since 1776.
6. Settlement of the boundaries of the State.
7. History of the certificate debt of the State; the various denominations of certificates—Amount of each—Objects for which each was issued—Plans for their redemption.
8. History of the paper currency of the State—Different emissions—Amount of each—Plan for its redemption—Effects upon the prosperity of the State.
9. The banking institutions of the State—Analysis of their charters—Amount of capital stock—Effects of these institutions upon the commerce, industry and general welfare of the State.
10. Statistics of the State—1. Population at different periods—2. Military force—3. Revenue—History of the department of finance—Sources of revenue — Amount — Expenditure—4. Commerce—Exports—Imports—5. Productions of the soil—6. Produce of the forest—7. Produce of the fisheries—8. Produce of the mines—1st, of the gold mines—2d, of the iron mines—9. Produce of the salt works.
11. Portraits of eminent men of the State, with their biography.
12. Map of the State, and maps of the several counties.

PART V.

PHYSICAL GEOGRAPHY, SOIL, CLIMATE AND METEOROLOGY OF NORTH CAROLINA.

Territorial extent and division of the State—Its boundaries—Latitude and longitude—Mountains—Rivers—Lakes—Sea coast.

Table of the latitude and longitude of the principal towns and remarkable places in the State.

Soil of the different counties.

Elevation of the mountains, table lands, valleys and alluvial region above tide water—Climate of each—Mean temperature of the climate at different periods of the year—Mean humidity of the atmosphere.

Amelioration of the climate by the clearing away of the forest—Diseases of the climate.

PART VI.

GEOLOGY AND MINERALOGY OF NORTH CAROLINA.

Physical structure of the State—The main ridge of mountains—The secondary ridges—The table lands—Valleys of the primary rivers—Alluvial region.

The general direction of the ridges of mountains, strata of rocks and veins of minerals.

Mineralogy of the State, including an historical account of the gold mines.

Physical history of the State—Changes in the primitive and secondary formations—Formation of the alluvial region—Effects of the Gulf Stream on this formation—Phenomena of the Gulf Stream—Subsidence of the

ocean—Rise of the alluvial region—Approximation of the beds of primary rivers, to a level, by the deepening of their beds in the primitive and secondary formations, and the rise of their beds in the alluvial regions.

Geological map of the State.

PART VII.

BOTANY OF NORTH CAROLINA—THE SYLVA, FLORA, AND FUNGI OF THE STATE.

It does not appear that Judge Murphey expected his appeal to the Legislature to produce very valuable fruits, for he writes to Judge Mangum under date of December 20, 1825, and says with the spirit of the true collector:

"I have no idea that any such aid will be given as my work will require. I thought, however, public notice might be thereby drawn to the subject and some men be induced rather to send me their old papers and pamphlets than to cast them into the fire."

In his estimate of the Legislature he was not deceived. That body was niggard when it came to spending the money of the State in the patronage of literature and the fine arts. But since Murphey might be apparently favored without drawing on the exchequer of the State the Legislature agreed to allow him to make use of the public records and to organize a lottery:

AN ACT TO ENCOURAGE THE PUBLICATION OF AN HISTORICAL AND SCIENTIFIC WORK ON THIS STATE.

Whereas, It is represented to this General Assembly by Archibald D. Murphey, of the county of Orange, that he hath been for several years engaged in collecting and arranging materials for an extensive and historical and scientific work on this State, and that the completion of said work requires the aid of the General Assembly; and whereas the publication of such work is much desired, and would be useful and creditable to the State:

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the said Archibald D. Murphey be, and is hereby authorized to raise by way of Lottery from time to time, the sum of fifteen thousand dollars, for the prosecution and completion of said work.

II. *And be it further enacted*, That the said Archibald D. Murphey have liberty to examine the public records in the Executive office, and in the Offices of the Secretary of State and Comptroller, and also the files of the Senate, and of the House of Commons of the General Assembly, and to make therefrom such extracts as he may think proper.

III. *And be it further enacted by the authority aforesaid*, That it shall not be lawful under any pretence whatever, to have more than three classes of drawings of the said Lottery, for the purpose of raising the sum required by this act. [Ratified January 4, 1826.]

In the *Catawba Journal* for July 25, 1826, appears an announcement of the Lottery:

By authority of the State of North Carolina.

LOTTERY

to encourage the publication of

THE HISTORY OF NORTH-CAROLINA

HIGHEST PRIZE.

20,000 DOLLARS.

Drawing to commence in Hillsborough, on the 2d Monday of September next.

SCHEME.

1 Prize of	20,000 Dollars is	$20,000
1	10,000	10,000
1	5,000	5,000
1	2,000	2,000
2	1,500	3,000
8	1,000	8,000
10	500	5,000
20	200	3,600
40	100	4,000
50	50	2,500
450	20	9,000
1,050	10	10,500
7,366	5	36,830
9,000 Prizes. 14,886 Blanks.	23,886 tickets at $5 is	119,430

☞ *Not two Blanks to a Prize.* ☜

500 Tickets to be drawn in a day—to be completed in 18 days' drawing. All the numbers to be placed in one wheel, and the prizes in another.

STATIONARY PRIZES AS FOLLOWS:

The last drawn Ticket on the

First day, will be entitled to a Prize of	$200
Second day,	500
Third day,	500
Fourth day,	500
Fifth day,	500
Sixth day,	500
Seventh day,	500
Eighth day,	500
Ninth day,	1,000
Tenth day,	1,000
Eleventh day,	1,000
Twelfth day,	1,000
Thirteenth day,	1,000
Fourteenth day,	1,000
Fifteenth day,	1,500
Sixteenth day,	5,000
Seventeenth day,	10,000
Eighteenth day,	20,000

The rest of the prizes floating in the wheel from the commencement, amounting to

$73,730

Prizes payable at the Agency of the Bank of Cape-Fear, in Hillsborough, N. C., 30 days after the completion of the drawing, subject to a discount of 15 per cent. All prizes not demanded within 12 months from the completion of the drawing, will be considered as forfeited to the uses of the Lottery.

J. WEBB, *Commissioner.*

Hillsborough, April, 1826.

The attention of the North-Carolina public is respectfully invited to the foregoing scheme. The laudable purpose contemplated will, it is hoped, secure to it the aid of those who are friendly to the interests of literature and science; and the name alone of the gentleman who has consented to act as commissioner in the management of the Lottery, is a sufficient pledge of the fairness with which it will be conducted. A. D. MURPHEY.

Tickets in the above Lottery are for sale at the Office of the Journal. Orders by mail, will be promptly attended to. (*Catawba Journal,* July 25, 1826.)

The drawing was under the direction of Dr. James Webb of Hillsboro, and was scheduled to take place on the second Monday in September; then it was postponed till the fourth Monday in November, but was again postponed. A note in the *Journal* for December 26 tells us why. Some of the agents had defaulted! It was encouragingly added, however, that returns were then coming in by every mail and it was

hoped to have the drawing toward the last of December or early in January. But the advertisement disappears after the issue of December 26, 1826, and the lottery was dropped.[1]

It will be noticed that this lottery was to be a purely local affair. It was a case of appealing to North Carolinians to support home industries. The result was unsatisfactory, for at the next session of the Assembly, in December-February, 1826-27, another act was passed on the same subject, but appealing to a larger constituency.[2] It precipitated, moreover (January, 1827), an extended discussion in the senate on the morality of lotteries. They were attacked as immoral by Mr. Hill of Franklin and defended by Mr. Leake of Richmond, Mr. Pickett of Anson, and Mr. Seawell of Wake, who argued at length that they stood in the same category as other business ventures where the element of chance was a factor. The bill in question was passed, but the debate indicates a turn in the tide of sentiment on the subject of lotteries. It is as follows:

AN ACT TO AUTHORIZE THE PRESIDENT AND DIRECTORS OF THE LITERARY FUND TO RAISE MONEY BY WAY OF LOTTERY, AND FOR OTHER PURPOSES.

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the President and Directors of the Literary Fund be, and they are hereby authorized to raise, by way of lottery fifty thousand dollars; of which a sum not exceeding twenty-five thousand dollars shall be applied by them toward aiding Archibald D. Murphey, of Orange County, in collecting material for, and publishing the history of North Carolina: But before the said money shall be advanced to him, he shall enter into bond to the governor, and his successors in office, in the sum of twenty thousand dollars, conditioned that if he shall die before the publication of the aforesaid, his executors or administrators shall, within one year after his decease, file in the secretary's office, for the use of the State, all papers, documents, records, pamphlets, and other materials, which he hath collected, or shall collect for said history, including his manuscript of said history.

II. *Be it further enacted,* That the residue of the money authorized to be raised by this act, shall constitute and form a part of the Literary Fund; and the President and Directors of said Fund are authorized to sell, upon such terms as they, or a majority of them, may deem expedient, to one or more persons, the privilege of raising, by lottery, the money aforesaid.

[1]Under date of Nov. 30, 1831, Murphey wrote Rev. Theodore Shulz that he had disposed of this lottery to Messrs. Yates & McIntyre of New York; that it would yield him about $12,000, and that he had petitioned the assembly to enlarge the sum. See his petition of Nov. 29, 1831, following.—Hoyt's Murphey Papers, I. 395.

[2]Evidently in answer to Murphey's memorial to the assembly on Jan. 5, 1827, of which no copy has been found. See Hoyt's Murphey Papers, I. 347. Murphey says: "The work will be in Octavo Volumes, each Volume containing about six hundred Pages."

III. *Be it further enacted,* That no part of the said twenty-five thousand dollars shall be paid to the said Archibald D. Murphey, until he shall relinquish all right or claim to the privileges granted to him by an act, passed at the last session of the General Assembly, entitled "An act to encourage the publication of a historical and scientifical work on this State"; And that said twenty-five thousand dollars, or so much thereof as the President and Directors of the Literary Board Fund may, in their discretion, think he will be entitled to, shall be advanced only as the work progresses. [Ratified Feb. 12, 1827.]

But the Literary Board also failed to secure the money desired, for in their report to the General Assembly dated January 3, 1828, they said:

By an act of the general assembly passed in the year 1826, the President and Directors of the Literary Fund were authorized to raise by way of lottery, the sum of fifty thousand dollars; one half of which was to constitute a part of the Literary Fund and the other half to be paid to A. D. Murphey, Esq., to aid him in his intended publication of the History of North Carolina. The Board regret to state, that in their efforts to accomplish the objects of this act, they have been unsuccessful. Letters were addressed to the principal brokers in the different cities of the United States, who had been engaged in purchasing the privilege of lotteries, inviting from them proposals for the one authorized by this Act. To all these letters answers were returned declining, for various reasons, to make any proposals. The Board believing that this was the mode in which the Legislature intended that the authority to raise money by lottery should be exercised, and unwilling to incur the risk and responsibility of drawing a lottery under their own superintendence, or that of agents appointed by them, without the special direction of the legislature, have declined to take any further steps in this business. If the general assembly should be still disposed to prosecute this plan, it is respectfully suggested that new provisions should be added to those contained in the act of 1826, and such as will readily suggest themselves to your honorable body, to inspire public confidence and prevent abuses and mismanagement in those who may be more immediately employed in the direction of the lottery. Upon this subject, as upon every other, this Board will cheerfully perform any duty and obey any instruction that you may prescribe.

There were present at this meeting of the Board Governor Iredell, John Louis Taylor, C. J., Bartlett Yancey, and William Robards.

Not overcome by the failures of the past, the restless soul of Murphey would not let him surrender without another effort. On November 29, 1831, he presented another memorial:

To the Honorable the General Assembly of the State of North Carolina: The Memorial of Archibald D. Murphey of Orange County. Respectfully sheweth,

That he has heretofore represented to the General Assembly that he has been for several years engaged in collecting materials for a correct history of North Carolina, and that he was unable to complete the work without liberal

pecuniary aid. The general assembly upon this representation passed an act authorizing him to raise by way of lottery the sum of fifteen thousand dollars, but restricted him to three drawings. This restriction and the smallness of the sum authorized to be raised put it out of his power to dispose of the lottery. A subsequent act was passed authorizing the president and directors of the Literary Fund to raise by way of lottery the sum of fifty thousand dollars, and to pay over to your memorialist one half thereof, but no steps have been taken to carry this act into effect. The labors of your memorialist have been suspended for several years past, by reason of severe rheumatism with which he was afflicted. Being at length relieved in a great degree from this painful disease, he is once more prosecuting the work, and he now solicits from the General Assembly that pecuniary aid without which no man of reasonable fortune can compile a History of North Carolina. The materials for our colonial history are deposited in the public offices in England, and among the early records of the states of Virginia, South Carolina and Georgia: And your memorialist entertained a hope, after the British Government, had upon the application of the general assembly consented that copies might be taken of all the documents and papers relating to our colonial history to be found in their public offices and after having made out an index of all these documents and papers and delivered the same to our ambassador in London for the information and use of your honorable body that you would have obtained copies at the expense of the state. Since the index has been received nothing further has been done on the subject; and your memorialist has concluded that the general assembly will not procure such copies. If sufficient aid be given your memorialist, he himself will proceed to London, or send an agent of intelligence to procure copies of the papers and documents aforesaid; and after writing our colonial history he will present them to the general assembly to be deposited in the public library. They will fill up many large volumes in manuscript. He will at the same time present to the general assembly several volumes in manuscript containing copies of such documents and papers relating to our history as he shall have been able to collect in this country. It is believed that the documents to be obtained from England, and those which have been and will be collected in this country, will fill more than twenty folio volumes. Your memorialist cannot set forth with any precision what it will cost to make his collection; but it is certain that it will cost a large sum. He asks for no appropriation from the treasury. It will, he hopes, answer his purposes to be authorized to raise a sufficient sum by way of lottery. And it being a matter of perfect indifference in the general assembly, whether he be authorized to raise fifty or twenty thousand dollars he prays that an act might be passed authorizing him to raise the former sum. Such an act will probably enable him through some of the brokers in the northern states to raise fifteen or twenty thousand dollars. And he prays that he may not be restricted in the number of drawings: Such a restriction will, under the act, be of no avail to him.

He further prays that he may have access to the papers and documents in the public offices in this city; and that he be permitted to take copies of such as he may require; and for this purpose to withdraw from the public offices such papers and documents upon his signing a receipt for and promising to return the same.—And your memorialist will ever pray.

In accord with the terms of this memorial there was presented—

A BILL TO ENCOURAGE THE PUBLICATION OF A HISTORY OF NORTH CAROLINA.

Whereas it is represented to this general assembly that Archibald D. Murphey of Orange County is engaged in compiling a History of North Carolina, and that he cannot complete the work without liberal pecuniary aid: *Be it enacted by the general assembly of the state of North Carolina and it is hereby enacted by the authority of the same,* That the said Archibald D. Murphey be and he is hereby authorized to raise by lottery a sum not exceeding fifty thousand dollars to enable him to prosecute and complete said work. And that he shall have access to the public documents of the state with liberty to take copies of such of them as he may require; and for this purpose to withdraw for a short time from the public offices said documents upon his signing a receipt for the same.

The committee to whom the bill was referred reported—

That however anxious they are to see a correct History of North Carolina, yet a failure of a similar attempt made by the petitioners, not many years since, connected with the system of hazard, contemplated in the Memorial, upon the morality of the community, induces your Committee to return the Bill and Memorial to the house and recommend its rejection.

For what was History to this Committee or this Committee to History? But after all, the Committee was only acting according to its lights. In 1790 the total expenses of the State government was $41,480, of which $24,000 represented the cost of the legislature; in 1828 they were in round numbers, excluding cash investments by the State and old money condemned and burned, respectively $77,000 and $36,658; in 1829, $85,000 and $39,704; in 1830, $86,000 and $39,727, etc. No wonder Governor Swain could say in his message of 1833 with irony the more biting because perhaps unconscious:

The apathy which has pervaded the legislation of half a century is most strikingly exhibited by the fact, that the mere expenses of the general assembly have ordinarily exceeded the aggregate expenditures of all the other departments of the government, united to the appropriations which have been made for the purposes of internal improvement. That government cannot be wisely administered where those who direct the expenditures of the public treasure receive more for this service than the amount of their disbursements.

In recurring to the same subject again in 1835, speaking in general terms and coming near enough the exact truth to make the criticism the sharper, he said that the annual imposition of taxes amounted "to less than $100,000, one-half of which constituted the reward of the

legislative bodies by which they were levied," and this he added had been the characteristic of "our state legislation during the first half century of our political existence."[1]

With this adverse report on the work which he hoped to undertake for North Carolina, the first and greatest of her native historians stepped off the stage and died soon after, broken in fortune; the materials which he had collected were scattered, and because he was ahead of the age in which he lived, his work came largely to naught.

But at any rate the work of Judge Murphey served to induce General Graham to commit his experiences in the Revolution to paper, and these have been recently gathered and published. Through the efforts of Murphey also some of the Davie papers were saved, and in recent years a descendant of his own, moved by the same spirit, has gathered and is now publishing what is left of his historical work and correspondence.[2]

III. THE WORK OF THE STATE.

A. The State Renews its Efforts, 1826-1854.

But although Murphey failed to secure the help he asked from the assembly, he did what was of still more importance, he aroused that body to a partial realization of the necessity of concerted action on part of the State looking towards the gathering of historical materials for the use of future students.

Into the assembly of 1826-27, on February 9, 1827, John Scott, member of the house from Hillsboro, the home town of Judge Murphey, who was back of the movement, introduced a resolution which ultimately became a law and is as follows (Acts 1826-27, p. 85):[3]

> That his Excellency the Governor of the State be requested to make a respectful application to the British Government for liberty to procure, for the use of the State, from the office of the Board of Trade and Plantations, in London, copies of such papers and documents as relate to the Colonial history of North Carolina.
>
> *Resolved further*, That the application aforesaid be made through the American Minister in London, and that he be requested to lend his aid to carry the foregoing resolution into effect, and to obtain for the agent who may be employed in this service the necessary facilities of procuring such copies.

[1]House Journal, 1835, p. 100.

[2]The Murphey Papers, edited by his great grandson, William Henry Hoyt, for the North Carolina Historical Commission, 2 v., in press. They contain many interesting references to Murphey's historical activities.

[3]See Scott's letter of Feb. 14 to Murphey. In a letter to Murphey, dated Washington, Dec. 4, 1826, Edward Everett says: "Would it not be worth while, with a view to a revision of our early colonial History, to endeavor to have the Records of the Plantation office at London examined?" Query: Is this the germ of the Act of 1827? —Hoyt's Murphey Papers, I. 346, 350.

The correspondence growing out of this resolution is as follows:

Governor Burton to Hon. Henry Clay.

EXECUTIVE DEPARTMENT, No. Ca.
RALEIGH, 19th April, 1827.

SIR,

Enclosed is a communication addressed to Mr. Gallatin, containing certain resolutions adopted by the General Assembly of this State, at its last session. The object is, to obtain information connected with the history of this State, deposited in the office of the Board of Trade and Plantations in London. You will be pleased to have the same immediately forwarded to Mr. Gallatin.[1]

Governor Burton to His Excellency A. Gallatin.

EXECUTIVE DEPARTMENT, No. Ca.
RALEIGH, 19th April, 1827.

SIR/

In compliance with the enclosed resolution of the Legislature of North Carolina, I hope to obtain your assistance in procuring from the British Government, copies of such papers and documents, relating to the history of this State, as may be found in the office of the Board of Trade and Plantations in London. It is regarded as a matter of much importance to obtain this information, as we have no tolerable history of our State. Your attention to this subject will confer an obligation not only on the State, but individually on Your's.[2]

Henry Clay to Governor Burton.

DEPARTMENT OF STATE,
WASHINGTON, 25 April, 1827.

DEAR SIR,

I have had the pleasure of receiving your letter, of the 19th inst. enclosing one for Mr. Gallatin, the object of which is to obtain, as you state, through his good offices, from the British Government, Information, deemed important by your Legislature, concerning the History of North Carolina; and I will take equal Pleasure in causing that letter to be immediately forwarded to Mr. Gallatin.[3]

Albert Gallatin, U. S. Minister, to Governor Burton.

LONDON, August 25, 1827.

SIR: I had the honor to receive your Excellency's letter of the 19th April last, enclosing a copy of the resolution of the General Assembly of North Carolina of February 9th, and requesting me to apply to the British Government for liberty to procure, for the use of the state, from the Office of the Board of Trade, copies of such documents as relate to the colonial history of North Carolina.

I lost no time in taking the steps necessary to carry into effect the object in view, and found, on enquiry, that there were two offices, where papers relative to colonial transactions were deposited, viz., that of the Board

[1]Executive Letter Book, p. 105.
[2]Executive Letter Book, p. 105.
[3]Executive Letter Book, p. 105.

of Trade, and the "State Paper Office," which is the common place of deposit for the Archives of the Home, Foreign and Colonial departments, and is under the superintendence of the Secretary of State for the Home department.

Application was accordingly made, officially, to the Foreign Office, and at the same time to the Departments themselves that had the control over the papers. And I am happy to say, that I met, in every quarter, the most liberal disposition to grant the request and to afford the necessary facilities of procuring the copies asked for.

Assurances were received of the readiness of the Lords of the Board of Trade to accede to the wishes of the General Assembly of the state. With a view to that object, a copy of Indexes to the Records, as had reference to the Province of North Carolina, was prepared, in order that the documents of which copies should be wanted might be pointed out. And their Lordships will give directions accordingly, whenever they shall have received the necessary information. Copies of the letter of the Secretary of the Board and of the Index (Nos. 1 and 2) are herewith transmitted. There will be found amongst the records of the Board, under the heads of "Carolina" and "Properties," documents, of a date prior to the year 1729, that relate to North Carolina and are not included in the Index. I have no doubt that copies of these will also be obtained: but the selection will require some time and must be left to the agent.

Lord Dudley, principal Secretary of State for Foreign Affairs, informed me that directions would be given to the keeper of State papers to permit an authorized agent to take copies of any of the documents mentioned in a list which he enclosed. Copies of his letter and of the list (Nos. 3 and 4) are also transmitted.

This communication has been delayed some time in order to have copies taken of the Index, list and correspondence. They are deposited in the Archives of this Legation, and will not be forwarded as duplicates, unless those now sent should miscarry; as it may be cenvenient to have them here, in case the state should, instead of sending an agent, think it sufficient to request the minister of the United States for the time being at this place, to obtain copies of the documents wanted. This I mention only in case the expense should be an object; for the work will probably be more completely executed under the superintendence of the person appointed for that special purpose. It must of course be understood that, in any case, the expense of clerk hire for taking the copies must be defrayed by the state.

Mr. Thomas Lacke, Secretary of the Board of Trade, to Albert Gallatin.

OFFICE OF THE COMMITTEE OF PRIVY COUNCIL FOR TRADE,
WHITEHALL, 11th July, 1827.

SIR: The Lords of the Committee of Privy Council for Trade, having had under their consideration the copy of a resolution of the state of North Carolina, (inclosed in your note to the Right Honorable Wm. Huskisson, of the 10th June,) requesting that application be made to this Board for copies of such papers and documents as relate to the colonial history of North Carolina; I am directed to convey to you the assurance of their Lordships' readiness to accede to the wishes of the Assembly. And with a view to this object, I have the honor herewith to transmit, by their Lordships' directions a copy of such

portions of the Indexes to the records in this office as have reference to the province of North Carolina, in order that an opportunity may thereby be afforded to the Assembly, of pointing out those documents of which they may wish to receive copies. And I am to add, that, whenever their Lordships shall have received the necessary information on this head, they will give directions accordingly.

Lord Dudley to Mr. Gallatin.

FOREIGN OFFICE, August 2, 1827.

SIR: I have the honor to acknowledge the receipt of your note of the 11th June, containing a request on the part of the governor of North Carolina that an agent of that state might be allowed to procure copies, from the proper Office in London, of such papers as relate to the colonial history of North Carolina.

I lost no time in referring your application to the proper departments, and beg leave to acquaint you, in answer thereto, that directions will be given to the keeper of the State Papers to permit an authorized agent on the part of the American government to have access to, and make copies of any of the documents mentioned in the list which I have the honor herewith to inclose.

Such papers bearing upon this subject as are in the custody of the Board of Trade are not included in this list, as I am informed that Mr. Grant, the vice president of that Board, has already communicated directly with you upon the subject of them.[1]

The Index prepared in the British offices at the request of Mr. Gallatin was duly received in North Carolina and placed among the archives of State, but nothing further was then done towards copying the documents in question, and for some years the Index seems to have been forgotten. Finally in 1843 (January 26), through the influence, it is said, of Col. John H. Wheeler, then State treasurer, the following resolution was put through the Assembly:

Resolved, That the treasurer of the State be, and he is hereby authorized to have printed, upon terms the most favorable to the State, a manuscript volume in the Governor's office entitled, "Indexes to Colonial Documents relative to North Carolina"; and that he deposit ten copies, together with the original manuscript volume, in the State Library.

The little volume appeared the same year with the full title:

"Indexes to documents relative to North Carolina during the colonial existence of said State; now on file in the offices of the Board of Trade and State Paper offices in London; transmitted in 1827." (Raleigh: T. Loring. 1843. 8°, pp. 120.)

[1]The liberality of the English authorities in granting this permission to the State of North Carolina to make copies of State papers seems the more remarkable when we recall that such permission was refused to Peter Force in the thirties and that it was only with the greatest difficulty that it was secured by Brodhead in 1842.

With the publication of this Index the first chapter in the State's efforts to preserve its history was ended.

Between 1827 and 1843 there was little mention and less discussion in the assembly of North Carolina in regard to the records of the past. And yet the subject was not entirely dead. Such occasional references as do occur to the subject are here reproduced chronologically to show that there was at least a saving remnant who had not entirely forgotten their obligations to the fathers.

Message of Governor Montford Stokes to General Assembly of 1831.

A resolution of the last General Assembly directed the Governor to "cause to be published in pamphlet form a Report relative to the Declaration of Independence by a Committee of Mecklenburg County, with the documents accompanying the same; and also the Journal of the Provincial Assembly of 1776; together with the Proceedings of the Cumberland Association." This publication has been made in a manner that, I trust, will meet with the approbation of the Legislature; and the copies have been distributed in the manner directed.

In 1831 (June 12) the State Capitol was destroyed by fire and with it the State Library and much documentary material. The State made an effort at once to restore this loss. The assembly of 1831-32 passed the following resolution:

Whereas, by the fire which destroyed the Capitol in the city of Raleigh, the Library of the State was consumed, and with it the journals of the general assembly belonging to the State which have been printed from the commencement up to the year one thousand eight hundred and thirty. And whereas it is important to secure, for the use of the state, one or more copies of the same. And whereas it is deemed practicable to do so now, by a timely effort, without the expense of reprinting the said journals from the original manuscripts. And whereas, also, by the same fire, all the printed private acts of the general assembly, belonging to the State, have been consumed for the same period; and the public convenience would be promoted greatly if they could be restored, as well as one or more copies of the public laws, as originally printed and circulated from year to year.

Be it therefore resolved by this general assembly, That the governor shall appoint some person resident in the city of Raleigh, who shall under his direction, correspond with persons in different counties of this state, from whom or by whose agency it is probable that the said printed journals of the general assembly, and the laws as annually printed, can be procured, so as to compile one or more sets for the use of the State, and to procure them either by donation or purchase from the scattered individuals in the State who may have the same and will consent to part with them.

Be it further resolved, That the governor is hereby authorized to draw on the public treasurer, in favor of the commissioner aforesaid, for the prices

he may agree to pay for said journals and laws, and for the expenses he may incur by the execution of the trust hereby vested in him.

Be it further resolved, That the said commissioner shall be paid for his services such sum as the next general assembly may deem to be reasonable, after a consideration of his trouble and care in the premises.

Here surely is wisdom, here is knowledge. Think of it! an official Collector of Caroliniana for the State in 1832 with the State's purse behind him and no limitation on the prices he might pay! The liberality and progressiveness of this action was on a par with that other single instance of bibliomania shown in Raleigh about 1820 when the State at a public auction dared to pay $60 for a copy of one of the early editions of Lawson's History of North Carolina.

Governor Stokes very wisely chose Joseph Gales, Sr., to carry out this trust. He met with success, as the copies of these laws and journals in the State Library to-day will testify, and as will be seen from a resolution passed by the assembly of 1832-33 in regard to the donation of Isaac T. Avery. The latter assembly also allowed Mr. Gales $225.30 "for his expenses and services"—a rather liberal sum for the State and the time.

Another natural result of the burning of the Capitol was the total disarrangement of all the archives that were saved. Of the work of rearrangement Governor Stokes says in his message of 1832:

The resolution directing the "employment of an agent to arrange in order all the papers belonging to the senate and house of commons and others, which were saved during the conflagration of the state house, and that they be delivered to the proper officers of the State" has been complied with so far as the assorting and arrangement; but owing to the want of sufficient cases and shelves in the government house to hold the papers belonging to the senate and house of commons, they have been carefully labeled and filed in a room in the office of the secretary of state. . . . This arrangement was a laborious one . . . performed by . . Mr. Williams R. Hill, the former Librarian of the state.

The assembly of 1832-33, in response to a suggestion contained in the annual message of David L. Swain, then governor, passed a resolution instructing the governor to obtain a sufficient number of copies of the map of the State recently published by John MacRae, and to send one copy to the District of Columbia, and one to each of the states and territories of the Union. The State had previously made a loan of $5,000 to MacRae to help him in the publication of his map.

In compliance with this resolution Governor Swain reported to the next assembly:

In compliance with a resolution passed at the last session of the general assembly I have purchased and transmitted to the executive department of each state and territory in the Union, a copy of MacRae's map of this State. I cannot permit myself to allude to this subject without venturing to suggest that if a copy were procured at the public expense and forwarded to each of the clerks of our superior courts to be placed in their respective court-houses, it might have a tendency to diffuse more generally among our citizens correct knowledge of the geography of our state, and discharge in some degree the obligation which the community is under to the enterprizing publisher.

Governor Swain was also wisely interested in the body of statute law of the State and saw the necessity for a thorough and scholarly revisal. To the assembly of 1833-34 he said:

Our revised code, as it is termed, commences with the provincial laws passed by the General Assembly which sat at Little River in 1715, omitting the entire legislation of the mother country with regard to this state, during a period of 490 years, and embracing more than a hundred entire statutes or parts of statutes. Of these, many relate to the criminal law of the country, several create capital felonies or punish capitally, offences that were previously subject to a milder penalty; and yet, it is believed that complete copies of these enactments are not to be found in half a dozen libraries in the State. A part of those in force, and many not in force, were published in Newbern, thirty years since, but the work did not equal public expectation and is now out of print. The lives, the liberty and property of our citizens are thus subject to the enactment of a government, widely dissimilar from ours, which few have read, or had it in their power to read. The legislation of nearly five centuries is a sealed book to the great body of the community, and in some degree, even to the profession whose interest and duty render the study of law the business of life. It is but a short time since the question, whether a statute regulating the trial of an individual for a capital felony was in force in this state, became the subject of solemn argument before the supreme court, and called forth directly opposite opinions from the judges. The truth is, that not only the source but the very existence of our statute law is, as remarked by an elegant writer, with regard to the common law, "as undiscoverable as the sources of the Nile." In such a state of things, the expounder of the law alone is safe. The executive and legislative departments of the government cease to coördinate with the judiciary, since the latter has not only the right to construe the whole body of legislation, but the privilege of declaring the existence within this state of any portion of the immense mass of British statutes, enacted anterior to the period when we begin to legislate for ourselves. . . . The task of revising and expense of publishing this code would be of little moment in comparison with its importance. . . .

A judicious legal reform, should, however, extend to all the subsequent enactments by which we are governed. Competent judges entertain the opinion that the bulk of our statute book might be lessened at least one third by a repeal of statutes which are in effect obsolete, and others, the object of which has been attained by the subsequent enactments. The whole of the legislation from 1715 to 1777, with the exception of the statutes of limitation,

the registry acts, and a few others, might with propriety be expunged from our code, as surplusage. Many subsequent acts, and some of them connected with the criminal law, should share a similar fate.[1]

In the Senate of 1834 Mr. Wilson of Perquimans presented the following resolution *in re* the preservation of the records of Revolutionary soldiers:

Resolved, That the secretary of state be required to compile and prepare for publication, the names and grades of all the officers of the Continental line of the state of North Carolina in the Revolutionary war, from ensigns upward who served to the close of the war; together with those killed in service, and who do not appear to have received commutation.

Resolved, That the public printer be required to print and publish, as an appendix to the acts of the Assembly, which may be passed during the present session, the list of names and grade of all the officers of the Continental line of the state of North Carolina in the Revolutionary war, from ensigns upward, who served to the close of the war; together with those killed in service, and do not appear to have received commutation. The said list to be furnished said printer by the secretary of state.

Resolved, That the secretary of state be allowed the sum of ten cents per copy sheet, for compiling and preparing for publication, the aforesaid list.

These resolutions were read the first time and passed; and being read the second time, Mr. Hogan moved to amend the second resolution, by inserting after the word "commutation" the following words: "Also such officers as served during the war and were ruled out"; which amendment was agreed to. Whereupon, on motion of Mr. Wilson, ordered that the resolution lie on the table.[2]

From 1833-34 to 1842-43 there seems to have been no effort along the lines of gathering, preserving or printing historical materials so far as the journals and documents and laws of the assembly show. As we have already seen, Col. Wheeler was instrumental in 1843 in securing the publication of the Indexes to Colonial Documents. He was then collecting materials for his Sketches of North Carolina and this duty brought him to an examination of the sources so far as the Indexes would permit. Within the next few years, he says, he sent to "a distinguished friend" in London [George Bancroft] a list of such of these papers as seemed to him of most importance. Copies of these were procured and made use of in his History. This volume of transcripts, a folio of some 500 pages, was in existence some 15 years since and was seen by this writer. The material which it contains having since appeared in this series the manuscript volume no longer has value save

[1]House Jour., 1833-34, pp. 135-6.

[2]Sen. Jour., 1834, pp. 45-46.

for sentimental reasons. It may be interesting to add right here that about 1864 Colonel Wheeler sailed to England to renew his researches in the English archives. The material obtained was to be used in a new edition of his History. This revised edition was never published and so far as known any materials thus secured were never of any service to the state except so far as used in his Reminiscences.

The publication of the Indexes to Documents seems to have again awakened interest in the subject of state history.

In his biennial message to the assembly of 1844-45 Governor John M. Morehead says:

> As long as the American Union shall endure, so long will the history of the establishment of American Independence be a subject of deep interest to every patriot. The Revolutionary history of this state is fraught with incidents of the deepest interest, and does honor to our patriotic sires. While another state boasts of being the cradle of Liberty, North Carolina alone can boast of possessing its birth place. It was on her soil, on the 20th of May, 1775, that her sons reared the standard of Liberty, boldly declared their independence of the British Crown; and declared themselves "a free and independent people," "a sovereign and self-governing association." We are wholly unworthy such illustrious descent, if we neglect to preserve by all means in our power, the history of the gallant deeds by which they sustained that declaration.
>
> The Index to the Colonial Documents of our State, printed by order of the last Legislature, to which I refer you, shows that very important historical information relative to this State, may be obtained from the archives of the British Government. Access to these archives has been generously tendered by that Government to this state; and permission granted to take copies of any documents we desire. It is believed that an agent, well qualified for the purpose, can be found who will proceed to England and procure such copies as may be deemed useful, for a sum but little exceeding the expenses of the trip and pay to clerks for making the copies. It is submitted to you whether it is not due to ourselves to send an agent.[1]

The legislature, while ignoring the suggestion that an agent be sent to England as urged in Governor Morehead's message, was nevertheless desirous that something should be done to forward historical interests, and so passed the following resolution:

> *Resolved*, That his excellency the governor be, and he is hereby authorized and empowered to collect, if possible, such papers as may be necessary to complete the series of [Governor's] Letter Books, and have them copied and arranged under his supervision, and to obtain, as far as practicable, either the original papers or copies of the proceedings of the several towns, county and district committees, organized in the province in compliance with the recommendation of the Continental Congress of 1774, for the purpose of carry-

[1]Legislative Documents of 1844-45, pp. 13-14.

ing into effect the articles of American Association, and the proceedings of the various Committees and Councils of Safety subsequently convened under the authority of the provincial legislature. And that he be and is hereby authorized to draw upon the treasurer of the State, from time to time, for such amounts as may be necessary to meet the expense incurred in the discharge of the duty assigned him, provided the expense does not exceed five hundred dollars. [Ratified Jan. 10, 1845.]

Governor Swain gives us the story of the greatest historical "find" during this period:

D. L. Swain to Governor Graham.

CHAPEL HILL
June 9th, 1845.

MY DEAR SIR

Since your departure I have received from Dr. Webb a box of Papers. Scarcely less in magnitude than the one sent you a short time since which I at that time supposed contained all Gov Burks papers. I have as yet given but a very cursory examination to the Second Series, but have found some of great historical value. Among them is autograph of John Adams of 8 pages, presenting his views with respect to the form of government, but [best] calculated to secure the happiness at the request of the people. It was furnished at the request of Gov. Burke and is without date, but is probably older than any of our State Constitutions. There are several interesting letters from Gov. Johnston, and one written in 1777, presenting unfavorable Auguries of our new State Constitution, which had just gone into operation, and a severe critique, on the first legislative body organized under it, which was then in Session. The more I consider the subject the clearer are my convictions that nothing should be recorded untill the collections are as complete as it may be possible to make them. "Every thing throws light upon every thing"; if the necessary papers cannot be obtained, the mere knowledge of what they consist might enable you to edit the volumes to be prepared under your direction, and in a much more satisfactory manner.[1]

In a message to the assembly of 1846-47[2] Governor Graham tells the general results of the efforts to carry the Resolution into effect:

By a resolution of the last session of the legislature, the governor was authorized and empowered to collect such papers as might be necessary, to complete the series of Letter Books in the executive office, and have them copied and arranged; and to obtain, as far as practicable, either the original papers, or copies of the proceedings of the several town, county and district committees, organized in the province of North Carolina, in compliance with the recommendation of the Continental Congress of 1774; and the proceedings of the various committees and councils of safety, subsequently convened under the authority of the provincial legislature. And an appropriation was made to defray the expenses which might be thereby incurred.

Soon after their adjournment, a notice of this resolution was published in all the newspapers of the state, of which a copy is transmitted herewith.

[1]Executive Letter Book, Graham, page 228.
[2]See Exec. Docs., 1846-47, No. VIII.

The period for which no Letter Books are preserved, extends from the organization of the present government in 1776 to 1784, and comprises the administrations of Governors Caswell, Nash, Burke and Martin.

The correspondence of Governor Burke, preserved by his only descendant until her removal from the state, and then left in the possession of a highly respectable citizen of the county of Orange, was readily obtained, and was found to be a most interesting contribution to our Revolutionary history. Finding that he was a distinguished member of our own provincial congress, a delegate from the state to the Continental Congress from 1776 continuously, until he was elected governor in 1781, and that during a part of the year for which he had been chosen to the latter office, he was detained as a prisoner at James' Island, near Charleston, S. C., by the British commander, having been captured in a descent of the Tories upon the town of Hillsboro, and that his correspondence threw much light upon the history of public events, both state and continental, during this whole period, I directed it to be transcribed entire, at an expense of $225. The two folio volumes in which the transcript is contained, are in this office, and will well repay a perusal by any reader, and furnish abundant resources to the future historian. It is regretted, that a most interesting portion of the letters of Mr. Burke, were not discovered in time to be copied in their chronological order in these volumes. It consists of his letters, while a delegate in the Continental Congress, to Mr. Caswell, then governor of the state, on the condition of public affairs from 1776 to 1780, and contains sketches at some length, of the debates of that body, which sat with closed doors. It seems that the proceedings were required to be kept secret until final action on any measure, but not afterwards. And that his memoranda were preserved, and furnished the basis of reports to the governor, of the debates on all subjects of interest. These letters have been discovered among the papers of Governor Caswell and will be copied with them.[1]

A memorandum of the latter gentleman, left with his family, and describing his papers "deposited in the office of Secretary of State, at the request of the legislature," has led to the discovery in that office, of all these documents in a good state of preservation. My own leisure has not been sufficient to make the selection from these, and give directions to have them transcribed. And it is my intention, to place them in the hands of a gentleman, who has paid much attention to that period of our history, that they may be properly revised and copied.

Of the letters of Governor Nash, and the first year of the administration of Governor Martin, I have been able to procure but few. These however, which relate principally to the British invasion in 1780-81, are of deep interest, and serve to increase our regret that the residue have not been preserved.

I have not been so fortunate as to collect any documents of the kind mentioned in the latter branch of the resolution of the Legislature, i. e. the records of the town, county and district meetings, except those pertaining to the memorable Declaration of Independence, in Mecklenburg in May, 1775, from which the publication of the legislature was made on that subject in 1831. After that pamphlet was compiled, the various original papers referred to in it, were returned by Governor Stokes to Dr. J. McKnitt Alexander, of Mecklenburg, at the request of the latter, by whom they had been collected and

[1]These letters are at times so severe in their criticisms of the Continental Congress that some modern students have dubbed Governor Burke the first nullifier.

furnished to the general assembly. These were obtained from the family of the only son and executor of Dr. Alexander (both father and son being now dead,) in the autumn of 1845, and are now in this office.

I respectfully recommend to your consideration, whether it is not expedient to publish a new edition of this pamphlet, with notes containing the additional evidence of the authenticity of the declaration. And also the journals of the various provincial congresses and committees of safety, from 1774 to 1776 inclusive, together with the journal of the Board of War alluded to in the advertisement appended hereto.[1] I am satisfied from a casual reading of these latter papers, that no state of the original thirteen, can boast of a documentary history, more creditable to itself for spirit, statesmanship, or enlightened love of freedom, and a valorous defence of it, than is to be found in these unpublished manuscripts.

The result of this message and recommendation was the introduction of a resolution into the House by Mr. Ferebee which became a law as follows:

RESOLUTION RELATING TO THE PUBLICATION OF DOCUMENTS ILLUSTRATIVE OF THE HISTORY OF THE STATE.

Resolved, That his excellency the governor be, and he is hereby authorized and empowered, to collect, arrange and publish a new edition of the pamphlet, containing the documents pertaining to the declaration of Independence in Mecklenburg in May, 1775; also the journals of the various provincial congresses, and committees of safety from 1774 to 1776, inclusive, together with the journal of the Board of War, alluded to in the advertisement appended thereto: also the class of documents relating to the period which preceded the organization of the state government, under the constitution, from 1774 to December, 1776, consisting of, first, a Provincial Convention or Congress, at Newbern, on the fifth of August, 1774; second, a similar Convention at the same place, 3d April, 1775; third, a Congress at Hillsborough, 20th August, 1775; fourth, a Provincial Council at Johnston Court House, 18th October, 1775; fifth, a Provincial Council at Johnston Court House, 18th December, 1775; sixth, a Provincial Council at Newbern, 28th February, 1776; seventh, a Council of Safety at Wilmington, 5th June, 1776; eighth, the Journal of the Congress or Convention at Halifax, 12th November, 1776; and such other documents as may be illustrative of the early history of North Carolina, and which have not been published, at the discretion of the governor.

Resolved further, That his excellency the governor be, and he is hereby authorized and empowered, to draw on the treasury for a sum, not exceeding $600 of any unappropriated money that may be in the treasury at the time. for the payment of said publication. [Ratified Jan. 18, 1847.]

[1]The advertisement mentioned here is an open letter addressed by Governor Graham to the people of North Carolina through the newspapers and dated March 1, 1845. In it he recites the resolution of the Legislature of 1844-45, tells the character of the material wanted, mentions the fact that some of the letter books of the governors had already been located and calls on patriotic "gentlemen in the different counties, where such memorials exist, who have leisure and take an interest in such investigations . . . to lend their aid in seconding the efforts of the government to rescue from oblivion these honorable testimonials of our Revolutionary history." It is reprinted in the Public Documents for 1846-47.

The instructions given to the governor in this resolution were never carried out by him and no publication of the kind intended was ever made. The reason for the delay will become apparent later, and was no doubt due to the condition of the materials.

The interest of the State in its past was now being aroused and the agitation was not allowed to cease.

In a message to the assembly of 1848-49 Governor Graham transmitted a petition from John H. Wheeler, with a letter from George Bancroft, then the American minister in London, in reference to procuring copies of North Carolina documents, records, etc., from the archives of Great Britain.

Mr. Bancroft's letter was dated London, July 4, 1848, and was addressed to Governor Swain. He says in part:

> . . . You may be sure that I have spared no pains to discover in the British State Paper Office a copy of the Resolves of the Committee of Mecklenburg; and with entire success. . . . I have read a great many papers relating to the Regulators; and am having copies made of a large number. Your own State ought to have them all, and the expense would be for the State insignificant, if it does not send an agent on purpose. A few hundred dollars would copy all you need from the State Paper Office on all North Carolina topics. The Regulators are, on many accounts, important. Their complaints were well founded, and were so acknowledged, though their oppressors were only nominally punished. They form the connecting link between resistance to the stamp act, and the movement of 1775; and they also played a glorious part in taking possession of the Mississippi Valley, towards which they were carried irresistibly by their love of independence. It is a mistake, if any have supposed, that the Regulators were cowed down by their defeat at the Allemance. Like the mammoth, they shook the bolt from their brow and crossed the mountains.

The message of the governor, with its accompanying papers, was referred to a select senate committee consisting of Messrs. William H. Washington, William B. Shepard, William S. Ashe, Joseph Halsey and Stephen Graham.[1] They brought in a report as follows:

> The Committee to whom was referred the communications of the governor in relation to the colonial and revolutionary history of North Carolina, ask leave to report.
>
> The committee have ascertained from the documents before them and from other sources, that the records of the early history of North Carolina can only be procured in the colonial office in England. From this fact it has arisen, that no historian who has hitherto undertaken to write the history of North Carolina, has ever had it in his power to present the truths of history in such a manner as to render justice to the State. Mr. Bancroft, our min-

[1]Senate Journal, 1848, pp. 125, 138, 145, 157.

ister at London, says in the accompanying letter that he has examined with much care, the documents in relation to North Carolina, and that he found them of great interest. No authority could be more satisfactory on such a subject than that of Mr. Bancroft, who . . . says in this letter that from $600 to $1000 would procure these valuable documents. The Committee believe that the present favorable opportunity of engaging the assistance of so able a man as our present minister in London, ought not to be permitted to escape. They have therefore instructed me to report the following resolution and to recommend its passage. WILLIAM B. SHEPARD,
Chairman.

RESOLUTION AUTHORIZING THE GOVERNOR TO PROCURE COPIES OF PAPERS IN ENGLAND.

Resolved, That his excellency the governor be, and he is hereby authorized and empowered to procure from the public offices in London, such documents relating to the colonial and revolutionary history of North Carolina, as may be found worthy of preservation and being placed among the archives of the state; and that the Governor be, and he is hereby authorized to draw upon the treasurer of the state, from time to time, for such sums of money as may be necessary to discharge the duty hereby assigned him; provided the whole amount does not exceed one thousand dollars. [Ratified January 27, 1849.]

A beginning was now made. The Resolution of 1848-49, like that of 1845-46, was without immediate, tangible results, but it was helping, nevertheless, to draw the State nearer the goal which looked to the collection and printing of its documentary history, and the Hon. Charles Manly, who had succeeded William A. Graham in the gubernatorial chair in 1849, turned for suggestions and advice to the one man who had shown himself the leader in all of these movements, who knew more of the colonial history of the state than any other man then living and to whom the state owes a lasting debt of gratitude for his labors. This man was David L. Swain. Governor Manly induced him to undertake the work of collecting as outlined by the legislative Resolution, but Governor Swain thought it wise before attempting to secure copies of documents preserved oversea to make an effort for the better preservation of some of those already in the State, as the following correspondence will show:

D. L. Swain to Governor Manly.

CHAPEL HILL, Feb. 6th 1849.

SIR: I made an application through Judge Battle more than a year ago, for the records which are the subjects of the enclosed letter, soliciting them as an act of courtesy to the Historical Society and did not succeed. I indeed received no reply.

On consideration I entertain the opinion that these records belong to the State, and with your concurrence I prefer to place our application on that ground. If you agree with me in opinion it may render it more imposing to

enclose my note in a communication from the executive department, simply requesting the attention of them to it. If you feel any doubt about the propriety of it however please direct your secretary to put my letter in an envelope and direct and forward it as if it had never passed under your notice.[1]

Governor Manly to Hon. A. Moore, Col. R. T. Paine, and R. R. Heath, Esquire.

EXECUTIVE DEPARTMENT,
FEBRU 12th 1849

GENTLEMEN: Concurring in the views expressed by Hon. D. L. Swain in the accompanying letter I take the liberty of commending the subject to your favorable and earnest attention.[2]

Governor Swain to R. R. Heath, Hon. Augustus Moore, and Colonel Robt. T. Paine.

CHAPEL HILL, Feb 6th 1849

GENTLEMEN:—The Resolution of the last general assembly authorizing the adoption of the necessary measures to procure from the state and other offices in London, documents in relation to our colonial history, has no doubt attracted your attention.

Gov. Manly having intimated to me his desire that I should undertake the service contemplated by the Resolution, I have concluded to do so. Before turning my attention to the mother country, I consider it important to ascertain with as much accuracy as practicable what materials for the elucidation of our early history may be obtained here.

In the 1st Vol page 172, Martin's History of North Carolina you will find the following paragraph.

"The oldest records extant in the State of North Carolina are proceedings of a Palatine Court held by President Harvey who came out in 1679 or 1680. It appears to have been a Court of Probates. The accounts are kept in pounds of tobacco, a negro woman is valued at 4,500 pounds of that commodity, a milch cow at 400 pounds." In this statement Martin is mistaken. I have examined the records in the secretary's office, to which he refers—a record quite as valuable and much more accurate to the historian is the record of Berkley precinct Court preserved in the office of the county court clerk of Perquimans.

By turning to the 2nd Vol of Bancroft's United States page 135, 162, and examining the references you will perceive that extracts from the latter record constitute no inconsiderable portion of the foundation of his history of that period. I consider it by no means improbable that earlier and not less valuable records of the precinct courts of Chowan, Currituck and Pasquotank are in existence and may yet be traced to their places. I trust I do not presume too much on the friendship, and patriotism of either of you in venturing to solicit earnest and prompt cooperation in this attempt to rescue our early records from oblivion.

[1]Governor Manly's Letter Book, p. 41.
[2]Governor Manly's Letter Book, p. 46.

I may be pardoned for intimating that the historical name of one of you seems to impose a peculiar obligation in connection with this enquiry. Where were the earliest precinct courts in Chowan held? certainly not at Edenton, though the records are probably in your court house.

When I held your court in 1832 I gave more [some?] attention to enquiries of this nature, much less however than I would do if I could be with you again.

I copy the following entry from my memorandum book "In the superior court clerk's office I find the minute docket for that portion of Carolina north and east of Cape Fear first held on the 28th of October 1712 at the house of Capt John Hacklefield on Little River. It continued there until the 29th of March 1715, when it was opened at the house of Capt Richard Sanderson on the 31st July 1716 it was opened at Queen Anne's Creek at the C. H. and on the 27 day of March 1722 it was opened at Edenton. . . .

"The docket closes with July term 1724 is closely and well written containing 425 pages with index and margin notes. Declarations &c have some semblance of technical accuracy and seem to be recorded at length.

"On the July General Court trial docket 1742 there are 250 trial cases and 64 appearances.

"General Sessions Docket March 1736

Dom Rex v Edward Mosely Esq.	For assaulting the Chief Justice	Defendant appeared and not being willing to contend with the crown, withdrew his plea and submitted, whereupon it is by the Court ordered, that he be fined one shilling, and of the prosecution discharged."

These dockets like the one mentioned by Martin in the secretarys office are records of the superior court of the province, termed under the Proprietary Government the Palatine's Court and under the Royal Government the "General Court" and belong properly to the State and ought to have been deposited with the former with the secretary.

They have long since I suppose ceased to be of any other than historical interest and they can only be rendered available for historical purposes, by being added to the general collections which have been and are being made by the State and by the Historical Society of the University and a leading object of this communication is to invoke your aid in securing the adoption of the proper measures to have them transmitted to His Excellency, Gov. Manly, or to me.

The records of your precinct court if they can be found as I hope they can will probably be of higher historical interest than those of the general court. They (the records of the precinct court) are a part of your county records ought to be on file in the office of your county court clerk and though probably of none other than historical value cannot be properly transmitted either to the governor of the state or to the Historical Society of the University without an order of the county court.

This I suppose however under the circumstances you will find no difficulty in obtaining.

It is very important to the prosecution of my system of operations that I should have early and full information on these several heads of enquiry and I beg you to be assured that it will afford me real gratification to render any service in my power whenever an opportunity may be afforded to me.[1]

[1]Governor Manly's Letter Book, p. 41.

Governor Manly reported progress to the assembly of 1850-51 in the following terms:

A Resolution was passed at the last session authorizing the governor to procure from the public offices in London, such documents relating to the colonial and revolutionary history of North Carolina, as might be found worthy of preservation. To accomplish this in the most satisfactory manner, I tendered to the president of our university, Hon. D. L. Swain, the appointment and agency contemplated in the Resolution. He manifested an anxious desire to carry out the object proposed, if it could be done by any reasonable devotion of time and attention not incompatible with his paramount engagements. He deemed it necessary, however, before going abroad, to ascertain what portion of the documentary information desired, might be obtained at home. Considerable, and not unsuccessful, attention has been devoted to domestic research, and the materials thus obtained will be preserved for the use of our future historian. The agent informs me that he has acquired such knowledge of the sources which exist in our own country as will enable him to examine with proper intelligence the archives of the mother country; and that he will very cheerfully enter upon the duty at an early day, if such shall be the pleasure of the general assembly.

It is evident that the suggestion of Governor Swain caused an examination to be made of the documentary material then to be found in the public archives of the state, for the committee on the library, of which Calvin H. Wiley was chairman, reported to the same assembly the results of their search for source materials with the following result:

That in discharge of the duty imposed on them by said resolution, they have examined the colonial records, in the office of the secretary of state, and have found

1. The manuscript journal of a biennial session of the assembly of the province of North Carolina, begun and held in the year 1715. This manuscript contains few pages—not more than fifty.

2. Journals of the assembly of the province of North Carolina, from the year 1754 to 1762, containing in all, matter enough to make a large volume of 500 or 600 pages octavo.

3. Journals of the assembly of North Carolina, from the year 1762 to 1768, containing about 335 pages of manuscript.

4. Journals of the assembly of the province of North Carolina, from the year 1769 to 1771, containing in all, about 330 pages of manuscript.

5. Journals of the assembly of North Carolina, from the year 1773 to the year 1775, containing in all about 500 pages of manuscript.

6. Council Book, or records of the proceedings of the governor and council of North Carolina, from the year 1734 to 1740, containing matter enough to make a printed volume of 400 or 500 pages octavo.

7. Council Book, from 1764 till the revolution.

8. Journals of the provincial congresses of North Carolina, from the year 1774 till the formation of the state constitution in 1776.

The following Resolution was then passed:

RESOLUTIONS PROVIDING FOR THE PUBLICATION OF COLONIAL RECORDS, AND FOR OTHER PURPOSES.

Sec. 1. Resolved, That the governor, the secretary of state, treasurer and comptroller be instructed to contract for the printing of 150 copies of the following records now in the office of the secretary of state, viz.. (1) Journals of the assembly of the province of North Carolina held in the year 1715; (2) Journals of the assembly of North Carolina from the 1754 to 1763; (3) do. of ditto from the year 1763 to 1768; (4) do. of ditto from the year 1769 to 1771; (5) do. of ditto from the year 1773 to 1775; (6) Council book or records of the proceedings of the governor and council of North Carolina from the year 1734 to 1740; (7) do. of ditto from 1764 till the revolution; (8) Journals of the Provincial Congress of North Carolina from 1776 to 1789; and that they have them bound and deposited in the office of the secretary of state, subject to the future order of the assembly.

Sec. 2. Resolved, That William Hill, the secretary of state, be, and he is hereby instructed to certify to the correctness of each printed copy to the original in his office; and that for the cost of printing and binding the said books, the sum of one thousand [dollars] is hereby allowed from any monies in the treasury not otherwise appropriated. [Ratified Jan. 20, 1851.]

The assembly of 1850-51 passed various other resolutions of similar import:

One provided for printing "A full and complete Index" to accompany the documents printed by the assembly. [Ratified Jan. 29, 1851.]

Another, "in order to preserve the maps, charts, documents and other material relating to surveys which have been or may hereafter be made with reference to any work of public improvement in this State," set aside a room in the Capitol to be known as a "permanent Bureau of Engineering" for their deposit and safe keeping, placed its collection under the care of the state librarian, or state engineer, should one be appointed, and required all companies incorporated after that date for internal improvements to furnish maps of their proposed work drawn to the uniform scale of 400 feet to one inch. [Ratified Jan. 1, 1851.]

A resolution of Jan. 28, 1851, provided for the publication in an edition of 100 copies of "the muster rolls of the soldiers of the war of 1812" then on file in the adjutant general's office. This was issued the same year.

The public documents also contain a complimentary reference to Colonel Wheeler's Sketches of North Carolina then in course of compilation; a resolution gives him authority to borrow books from the state library and make extracts from the offices of the executive departments, and a resolution of 1852-53 purchased 50 copies of his then pub-

lished work for the use of the state. [Ratified Dec. 27, 1852.] But beyond this purchase the assembly of 1852-53 seems to have done nothing in a historical way.

B. Governor Swain's Historical Agency, 1854-1858.

In his message to the assembly of 1854-55 Governor Reid contented himself with making a modest suggestion that there be erected in Capitol Square, Raleigh, "two small but neat and appropriate monuments,"—a phrase which was deftly turned soon after by Josiah Turner, Jr., to illustrate the tendency of state politics at that time,—"one to the memory of the officers and soldiers of the revolution, and the other to the memory of the signers of the Mecklenburg Declaration of Independence." It does not appear that the recommendation in this form ever received consideration, and a bill to appropriate $10,000, "for the purpose of erecting a monument in the county of Mecklenburg, as a tribute of respect to the memory of the signers of the Mecklenburg Declaration of Independence," was lost in the house.

But in the senate Mr. John F. Hoke, of Lincoln, introduced and pressed to ratification a resolution of significance:

> That the agent, to be appointed by the governor, authorized by resolution of the general assembly, passed in the session of 1848 and 49, to procure documentary evidence of the history of North Carolina, shall, in case he deems it necessary to visit London for that purpose, be entitled to receive his traveling expenses, and all other necessary expenses for clerk hire, &c., to be ascertained and allowed by the next general assembly.
>
> That the Governor be authorized to procure a copy of "Tryon's North Carolina Papers," now on file in Harvard College, and that the expenses for copying the same be paid out of any moneys in the treasury department, not otherwise appropriated: Provided, The whole expense shall not exceed one hundred and fifty dollars. [Ratified Jan. 9, 1855.]

In view of this resolution Gov. Thomas Bragg, who had succeeded Governor Reid in office, opened correspondence with Governor Swain who had assisted Governor Manly in the same work in 1849 and the following exchange of letters ensued:

Governor Bragg to D. L. Swain.

State of North Carolina, Executive Office
Raleigh, May 14th 55.

Sir

I send herewith an authenticated copy of a Resolution passed by the general assembly of North Carolina at its session of 1848-9 and also of one passed by the same body at its session of 1854-55.

By virtue of the former the governor of the State is authorized to procure in England such documents relating to the colonial and revolutionary history of the State as may be found worthy of preservation and by the latter to procure a copy of Tryon's North Carolina papers now on file in Harvard College. The interest which you take in whatever concerns the history of the State as well as your great information on the subject, prompted me to ask your aid in carrying into effect the wishes of the legislature as expressed in both of the resolutions. In the personal interview which I had the honor to have with you on the subject you kindly consented to accept of the agency and I now comply with my promise to send you authenticated copies of the Resolution.

I have only to add that I hope your labours may be as pleasant as I doubt not their result will be useful and interesting to a large portion of the people of the state.[1]

D. L. Swain to Governor Bragg.

CHAPEL HILL, Nov 20th 1855.

SIR

I had the honor to receive on the 15th May last your letter of the previous day communicating authenticated copies of the Resolutions of the general assembly of 1848-49 and 1854-5 authorizing the governor to obtain from the proper offices in London documentary evidence in relation to the colonial and revolutionary history of North Carolina and from the library of Harvard College a copy of Governor Tryon's letter book. The latter resolutions provide that the agent to be appointed by the governor may if he should deem it necessary visit London in the prosecution of his searches and that the necessary expenses, of his mission shall on his return be paid from the public treasury.

I had previously in a personal interview to which your excellency kindly invited me consented to render any services in my power to enable you to effect the wise and patriotic designs of the general assembly. I was at the time I recd your letter on my way to Connecticut and intended to extend my journey to Cambridge for the purpose of obtaining with as little delay as practicable a loan of Governor Tryon's Letter Book so that it might be copied under my direction at home or if I did not succeed in this to ask permission to have a copy made for me under the direction of the librarian. On my arrival at Hartford however I recd information which induced me to decline the contemplated visit to Cambridge and enter into a correspondence with President Walker upon the subject. My letter received every and favorable attention, and my friend Jared Sparks L.L.D. the immediate predecessor of President Walker was authorized to intimate to us the conditions on which a copy might be obtained.

Mr. Sparks informed me that under the regulations of the University original manuscripts were never allowed to be withdrawn from the library, but that in this instance if authorized to do so he would have a copy made for me under his immediate supervision by an experienced copyist, a specimen of whose handwriting he enclosed me: that the manuscript consisted of 523 pages, averaging about 300 words each and that the charge for copying would be six cents for copy sheet of 100 words.

The volume contains, 1st, Governor Tryon's letters (apparently official) from October, 1764, to December, 1771; 2nd, The minutes of the council from

[1]Governor Bragg's Letter Book, p. 153.

April, 1765, to June, 1771. It was sold to the college by Mr. Stevens of London who found it there in the hands of a book seller. It was then in two separate volumes. One containing letters, the other the minutes of the council. He had them bound together in one. The two had all the appearance of having been the original record books kept by Governor Tryon while he was in office. A letter from Mr. Sparks dated on the 4th instant informs me that the copyist had finished his work, and that the volume was then in the hands of the binder, Mr. Harris' account which you will receive herewith amounts to one hundred and eight dollars viz $100 for copying $5 for paper and $3 for binding. I have no doubt that the copyist has performed his task with more than ordinary neatness and accuracy, and is well entitled to the stipulated compensation. I have requested the cashier of the Bank of the State to remit the amount due to him and will draw upon you for so much of the appropriation as may be necessary to meet my expenditures when the book is received.

Mr. Sparks to whom I am indebted for numerous acts of kindness will take the work into his possession and retain it for me until I can secure a safe opportunity for its transmission.

Whilst I have taken the necessary pains to accomplish the purposes of the general assembly, in obtaining for the state this very important addition to the records of the executive department, and to the information previously in relation to a most interesting period of our history, I have not been unmindful of the more arduous task contemplated by those resolutions, the duty of endeavoring to ascertain as nearly as I may be able, the nature and extent of the materials which can be obtained to illustrate our annals throughout the two centuries which have elapsed since the earliest settlement was formed within our borders.

I have made numerous enquiries of intelligent gentlemen in this and other states of the Union, who, I supposed would be able either to supply information or to indicate sources from which I might reasonably hope to obtain it, and these enquiries I am happy to state have met with encouraging success.

I am taking the requisite pains to render myself familiar with the materials for history at my command, so as to be able in due time to form a satisfactory opinion, whether it will be indispensable to the accomplishment of the liberal purposes of the legislature that an agent shall visit the mother country and search the ample and well arranged respositories there, public and private, for records, books and manuscripts, not to be obtained on this side of the Atlantic. So soon as my collections shall be as full and complete as I can reasonably hope to make them from domestic sources, and I shall have had an opportunity to arrange and examine them, I will be prepared to communicate my views upon all the subjects embraced in the Resolutions.[1]

To the assembly of 1856-57 Governor Swain presented a detailed report of his activities as State Historical Agent. This Report, together with the pertinent correspondence, is printed in full as Document 28, session of 1856-57. The story of this work cannot be told better than in Governor Swain's own words and the document is here reproduced, somewhat abridged and with minor corrections.

[1]Governor Bragg's Letter Book, p. 337.

REPORT OF HON. DAVID L. SWAIN, LL.D., ON THE HISTORICAL AGENCY FOR PROCURING DOCUMENTARY EVIDENCE OF THE HISTORY OF NORTH CAROLINA.

The joint select committee, to whom was referred the message of the Governor, with the accompanying papers from the Historical Agent of the State, have had the same under consideration, and respectfully report:

That the message of the Governor presents to the General Assembly the report of the historical agent of the State, and recommends a continuance of the agency.

That the report of the agent consists of a series of letters either written by or addressed to the agent, in the discharge of the duties of his office, reporting the progress made in the collection of material, and assigns satisfactory reasons for the delay on the part of the agent in the prosecution of the extended search for documentary history contemplated by the Legislature. And, to the end that the fullest information may be given, that a memorial be made of the patriotic efforts on the part of the State authorities to garner up all that is valuable in the past history of the State, the committee do recommend the printing of the report entire, not exceeding 300 copies, to be distributed by order of the General Assembly.

And, furthermore, to carry out the praiseworthy purposes of the Legislature, that created the agency, and that the scattered and broken links of our colonial history may be collected and placed in the hands of the future historian, and "our story be told with truth," the committee do recommend the adoption of the accompanying resolution, providing for the continuance of the agency:

Resolved, That the agent appointed under the resolution of the last General Assembly, to procure documentary evidence in relation to the History of North-Carolina, may, in case he shall deem it necessary to do so, examine the public archives, and other sources of information of our sister States, as well as the mother country, upon the conditions set forth in the said resolution, and report proceedings to the General Assembly at as early a period as may admit of the proper performance of the duties assigned to him.

PAUL C. CAMERON, *Chairman.*

To the honorable the General Assembly
of the State of North Carolina:

I transmit herewith a report from the Hon. David L. Swain, agent to procure documentary evidence of the history of the State.

The report will explain to you very fully what has been done, what it was the object of the agent to accomplish, and the circumstances which prevented his collecting any historical materials from abroad.

The copy of "Tryon's Letter Book" has been deposited in the Executive office, where it may be seen, and is subject to your disposition.

By the terms of the resolution of the General Assembly, by virtue of which an agent was appointed, such agency ceases at this session of your honorable body.

I respectfully recommended the passage of a resolution, authorizing the continuance of the agency, with authority to the agent to examine the public archives, and other sources of information of our sister States, as well as those of the mother country.

THOMAS BRAGG.

REPORT.

CHAPEL HILL, Decem. 1, 1856.

SIR:—In my letter of the 20th November, 1855, I advised your excellency of the course I had pursued, and the progress I had made under the resolutions of the last General Assembly, authorizing you to appoint an agent to obtain from the proper offices in London documentary evidence in relation to the history of the State, and from Harvard University a copy of Governor Tryon's Letter Book.

I had the pleasure, a few weeks thereafter, to receive a copy of the Letter Book, prepared with extraordinary neatness and accuracy, under the supervision of Jared Sparks, LL.D., by the late James W. Harris, Esq., of Cambridge. Mr. Harris's receipt for the stipulated compensation for services so faithfully rendered, amounting to $108, is enclosed. This sum, with the addition of one per cent. premium on the check remitted, may be deposited to my credit in the Bank of the State. The Letter Book is also sent herewith.

Since the receipt of your letter of the 15th May, 1855, requesting my attention to this subject, no opportunity has been neglected to obtain all the information in my power in relation to documentary evidence of our history at home or abroad. I have taken great pains to ascertain the sources whence materials may be drawn, and the extent to which they exist in this and other States, in order to satisfy myself whether it is necessary to extend researches to the mother country, and to prepare myself in this event for the intelligent performance of the trust committed to me.

I suppose there are few important papers in North Carolina which reflect light upon the colonial era, which are not in my possession, or at my command.

To the kind attention of Tristam L. Skinner, Esq., of Edenton, I am indebted for permission, obtained by him from the county court of Chowan, to transmit to me four folios, containing all the records of the general court and court of chancery of North Carolina, from 1697 to 1730, and to James E. Norfleet, Esq., of Edenton, for two volumes custom house records of port Roanoke, from 1725 to 1743. The judicial records are not merely of great but indispensable importance to the historian. I have given a receipt for them to the clerk of Chowan court, and have stipulated to return them in reasonable time. I trust, however, that you will be able, through the intervention of the General Assembly to secure permanent possession of them for the State.

The liberality of Thomas P. Devereux, Esq., has enriched the archives of the historical society of the University with a neat and accurate copy of all the portions of the Letter Book of his ancestors, Cullen and Thomas Pollock, which possess historical value.

Thomas Pollock was, as you are aware, deputy to one of the Lords Proprietors of Carolina, during a period of thirty years, and was at one time at the head of the government, as president of the Council. In the latter character he assumed the reins of government, on the demise of Governor Hyde in 1712, and discharged the duties of the executive department with eminent prudence and discretion, in the midst of some of the most dangerous emergencies in our history. He was a member of the council, and sustained the legitimate authority of Governor Glover during the entire period of Cary's rebellion, and his correspondence exhibits no inconsiderable portion of all the information accessible at present in relation to a civil commotion, which, in its consequences, threatened, and too nearly produced, the extinction of the colony.

Virginia and South Carolina have laid the best possible foundation for the construction of their history in the publication of their statutes at large, with illustrative documents, notes, and references. Both of these collections, but especially the former, the earlier and better work, are deeply interesting in connection with our history, and serve to show the importance of similar attention on our part to forgotten and neglected records.

The trustees of the State library, (the governor and judges of the Supreme court) have recently made a judicious beginning, which it is to be hoped will, in due time result in the accomplishment of a like enterprise, on the part of North-Carolina.

In 1715, the General Assembly revised and re-enacted the whole body of statute law then in force. There was no printing office in the Province, and twelve manuscript copies were prepared, and one deposited in the clerk's office of each precinct court.

The existence of this revisal was unknown during a long series of years, until about a quarter of a century ago, when two mutilated and moth-eaten copies were discovered in the office of the secretary of State. Two or three years since, a third imperfect copy was presented to the Rev. Dr. Hawks, by William B. Rodman, Esq., of Washington. A successful effort is in progress, to secure, by a collation of the three defective manuscripts, a perfect copy of our earliest revisal; and the work admirably executed by the Rev. Dr. Wheat, of the university, will soon be ready for the State library.

It is, perhaps, unnecessary to enter into further details with respect to domestic sources of historical information. I venture to intimate, nevertheless, the confident opinion, that very interesting materials will reward proper research in the public offices of Virginia, and the archives of the historical societies of South-Carolina and Georgia.

In relation to documentary evidence abroad, I deem it merely necessary to direct your attention to the accompanying correspondence, which may be examined in the numerical order in which it is presented, and which will sufficiently explain itself.

You will perceive that owing to diplomatic difficulties between this country and England, and occurrences which for a time prevented cordial intercourse between Mr. Crampton and the American secretary of State, I was subjected to unavoidable embarrassment and delay in the prosecution of my designs. In relation to this matter, I am under great obligations to my friend Mr. Dobbin, the secretary of the Navy, who, though oppressed by official duties, rendered more arduous and onerous by delicate health, cooperated most cordially and effectually, in my attempts to accomplish the purposes of the General Assembly.

My agency, as you are aware, expires by the limitation imposed by the resolution under which I have been acting, with the present General Assembly. If further services of a similar character shall be desired—and of the necessity for further research, my former and present communication will afford the means of arriving at a satisfactory conclusion—the General Assembly will of course allow further time, and authorize proper research in the archives of our sister States, as well as the mother country.

I.—Hon. James C. Dobbin to D. L. Swain.

WASHINGTON, December 4th, 1855.

* * * I intend to avail myself of the first opportunity, and endeavor to help you in the laudable enterprise in which you are engaged.

Just at this particular time it may not be decorous to open the subject to Mr. Crampton. We are personally on very good terms indeed, and I know he is quite accommodating. * * *

II.—Same to Same.

WASHINGTON, February 26, 1856.

My Dear Sir: You are right in your conjectures, that at present our relations with Mr. Crampton forbid my asking any favor of him. It is to be regretted—but his conduct was inconsiderate and improper. I enclose you a letter of introduction to Mr. Dallas. Whenever you address him, enclose it, and I have no doubt he will cheerfully do what he can. * * *

III.—D. L. Swain to Hon. George M. Dallas.

CHAPEL HILL, 1st March, 1856.

Sir: The enclosed note from the Hon. James C. Dobbin, explains the reasons which render it proper and necessary for me to address you upon the present occasion. The accompanying volume, entitled "Indexes to Documents relative to North-Carolina during the colonial existence of the State," will serve the purpose of explaining more fully and clearly, the objects I have in view, and the nature of the duties which at the instance of Governor Bragg, acting under the authority of resolutions of our last General Assembly, I have undertaken to perform.

The volume referred to, a manuscript copy of which, was deposited by Mr. Gallatin in the office of the American Legation, in London, in 1827, shows that in the office of the Board of Trade and in the State-Paper Office, many documents and records of great value, in connection with the history of North-Carolina, are on file, and that permission for such agent as the State might designate for the purpose, was most courteously given, to take copies of all or any portion, that might be desired. I wish to obtain through you a renewal of the courtesy and liberality. * * *

From the beginning of the royal government, in 1729, until the opening scenes of the revolution, in 1774, these indexes show that ample materials for the elucidation of our history are to be found in the public offices in London. The obscure periods about which comparative little is known, are from 1663 to 1729, embracing the existence of the proprietary government—and the early years of the revolutionary war.

Mr. Gallatin supposed, apparently with good reason, that much information in relation to the former period might be obtained by the examination of unarranged files in the office of the board of trade, of records entitled "Proprieties and Carolina." See his letter to Governor Burton and the accompanying communications from the secretary of the Board of Trade, and Lord Dudley, principal secretary of State for foreign affairs, pages 3, 4, 5, 6 of the pamphlet referred to.

I venture to anticipate satisfactory results from such an examination, but to guard against disappointment, desire to make proper arrangements for the further prosecution of my researches, if it shall be found necessary.

Chalmers, in the composition of his political annals, seems to have had many papers at his command, in relation to our early history, to which no subsequent writers have had access. Williamson (Hist. N. C., vol. 1, p. 9, pref.) states that he applied to Chalmers for permission to take copies from his collections, which was discourteously refused.

Grahame (Col. Hist. U. S., vol. 1, p. xii) seems to have been favored with ready admission to the library of the "distinguished American annalist." He adds little, however, to our previous stock of information about the proprietary government. I suppose, therefore, that the papers must have passed from the hands of the secretary before the sojourn of Grahame in London, and may be found among the unarranged records referred to by Mr. Gallatin, or that they were restored to the Lords Proprietors, who held the office of palatine, at the successive periods to which they relate. If the latter supposition shall prove to be well founded I presume that the heads of these noble houses will receive with favor an application through the American legation for copies of such papers as may serve to illustrate their own history, as well as the annals of Carolina. Mr. Bancroft promised me, some time since, to enter into a correspondence with Lord Shaftsbury, upon this subject, but I have not yet been advised of the receipt of any communication from the latter.

In relation to our revolutionary history, I have recently been so fortunate as to obtain a perfect copy of the letter book of Governor Tryon, and the journals of the council, during the entire period of his administration, from October, 1764 to June, 1771, containing very full as well as authentic details in relation to the commotion produced by the passage of the stamp act and the war with the regulators. The original was purchased for Harvard College, in 1845, by Mr. Stevens, of a bookseller in London. The recovery of this important record suggests the enquiry whether the letter book of Tryon's successor, Josiah Martin, the last of our royal Governors, may not be obtained from some source, and thus supply in connection with the Tryon papers, a continuous official narrative of the leading events in the revolutionary history of North-Carolina.

There was probably no single loyalist, who throughout the American revolution, rendered such efficient services, to the mother country, as John Hamilton. At the beginning of the war, he was the leading merchant in the province. He commanded a regiment under Lord Cornwallis during the invasions of 1780 and 1781, and was a gentleman of ability, intelligence and integrity. For many years subsequent to the revolution, he was his Britanic Majesty's Consul at Norfolk.

Major Craig, who in 1812, was Sir James Henry Craig, Governor General of Canada, took possession of Wilmington, early in 1781, preparatory to the second invasion of Lord Cornwallis. He maintained his position until the surrender of Yorktown rendered his retreat necessary, in the autumn of the following year. Governor Burke and suite were his prisoners in September, 1781, and the Governor was, under his orders, confined for some months, as a prisoner of State. The papers of these two gentlemen, if they can be obtained, will probably be found, to be not less interesting and important, than those of Governors Tryon and Martin.

I do not wish to go abroad, until I shall have satisfied myself with respect to the nature and extent of the collections, that can be made in our own country. My present plan is to visit London, not earlier than May, 1857. May I venture to ask, in behalf of the State of North-Carolina, that such pre-

vious enquiries and arrangements may be made, as may comport with your convenience, and enable me to accomplish, as nearly as may be practicable, the wisè and liberal purposes contemplated by our General Assembly.

IV.—Hon. G. M. Dallas to Hon. J. C. Dobbin.

LONDON, Aug. 18, 1856.

My Dear Sir: Your letter of the 4th instant, accompanied by another addressed to yourself by Ex-Governor Swain, with a bound pamphlet of "Indexes to Colonial Documents, N. C." reached me yesterday. I will give the purposes of Governor Swain every aid in my power, especially as soon as I feel somewhat relieved of the central American negotiation, which is tapering to the signing point. There may be difficulties in ascertaining the *locus in quo* of the displaced records, for the best employe here is reluctant and unreliable in making a *private* search, without assurance of compensation for trouble, and of copying, if successful. You shall hear from me again, however, at an early day.

V.—Same to Same.

LONDON, August 22, 1856.

My Dear Sir: Since writing the enclosed, I have had the pleasure to meet Mr. Somerby, an American gentleman well known to Gen. Cushing, who was kind enough, at my request, to examine the State Paper Office, and other receptacles of records, and whose familiarity with the operation enables him to say at once—

1. That there are many papers readily accessible connected with the colonial history of North Carolina, not adverted to in the volume of Indexes sent by Governor Swain, some at dates as early as 1661, and multitudes subsequent to 1775.

2. That South Carolina has already obtained abstracts of such papers, as, under the general label of "Carolina papers," were of dates anterior to the separation, and of these it is presumable Gov. Swain could easily obtain copies from Charleston.

3. That abstracts of all the papers connected with North Carolina, whether in the State Paper Office, the British Museum, or else where, can certainly be had; but the trouble and expense would be great, and unless Gov. Swain prefers coming himself, to superintend the proceeding here, Mr. Somerby thinks he could secure all sufficient abstracts by directing and guiding a copyist, if the sum of £100 were, in advance, placed under the control of some one here, to be applied exclusively to that object.

Mr. Somerby is already engaged in pursuing a similar search and examination for the State of Maine. He tells me that a bill was introduced into Congress, authorizing an appropriation of 20,000 dollars, to enable the government to get all the colonial documents from the office here, and that Mr. Mason, Mr. Clayton and Mr. Pearce were its friends, but he does not know its fate.

VI.—D. L. Swain to Hon. J. C. Dobbin.

CHAPEL HILL, Sept. 10, 1856.

My Dear Sir: I am greatly obliged, by the receipt of your note of the 6th, and the accompanying communications from Mr. Dallas of the 15th and 22d ult. I have availed myself of your permission to take copies of the latter, and in compliance with your request, I now return the originals.

The principal object I desired to attain, through the intervention of Mr. Dallas, was a renewal of the courtesy exhibited to the State in the correspondence between Mr. Gallatin, Mr. Lack[e] and Lord Dudley, in 1827, in the permission to take copies of documents in the public offices in London, and more especially to ascertain whether a like permission can be obtained from Lord Clarendon, and the other representatives of the original Lords Proprietors of Carolina. Upon these subjects I hope to hear from him, when relieved from the diplomatic difficulties and labors, which require immediate and constant attention. * * *

VII.—Jared Sparks, LL.D. to D. L. Swain.

CAMBRIDGE, February 1, 1856.

My Dear Sir: In regard to the first inquiry in your letter of December 19, I regret that I cannot give you any information concerning the loyalists, Fanning, Hamilton and Craig. Nor do I know where you will be likely to find the papers of Governor Martin. If they have been preserved, they are doubtless in the hands of some branch of his family in England, and may perhaps be brought to light by pursuing the inquiry in that country.

As to Chalmers, he undoubtedly procured nearly the whole of his materials from the archives of the Board of Trade. He was, for a long time, the secretary of that Board. His papers, after having been bound in volumes, were sold by his nephew, a few years ago, at auction in London. I purchased six volumes of them relating mostly to New England. They are not important, being memoranda, references, and extracts used in writing his annals. In his chapter on Carolina, I observe he refers to volumes of "Carolina Entries," and also to "Carolina Papers." These are all probably now in the office of the Board of Trade, unless they have been removed to the State-Paper Office since Chalmers' time.

I remember seeing volumes entitled "Proprieties." In these, will be found papers relating to Carolina, under the proprietary government, as mentioned by Mr. Gallatin. I forbear to enlarge on this subject, because I deem it absolutely essential that you, or some other agent from this country, should make a personal research in the public offices in London. I have passed several weeks, at two separate times, in those offices, and I am sure that no instructions to any person there, however precise, will secure a thorough and complete examination. Such an agent should be already somewhat familiar with the details of the history of North-Carolina.

There are two distinct offices containing American colonial papers: first, that of the Board of Trade, and secondly the State-Paper Office. The index furnished by Mr. Gallatin, appears to include such papers only as are in the former; but there are many important papers of a more political character in the State-Paper Office, particularly from the date of the stamp act downwards. In short, a careful and thorough research should be made in both these offices.

The mode of application must be through the American minister in London, and, with his aid, there will be no difficulty in procuring access to any of our colonial papers, and permission to have them transcribed.

I hope you will find it consistent with your other occupations to fulfill this important agency yourself. I am persuaded you will not regret having performed a service, which, while it cannot fail to gratify your own tastes, will be so beneficial to the public.

I have not yet heard from Halifax, and I begin to fear we may be disappointed in our expectations from that quarter. It is possible that the descendants of the loyalists may feel a little delicacy on this point and not be inclined to promote any new developments in the history of the unsuccessful efforts of their ancestors, although acting in defence of what they deemed at the time a loyal and just cause.

You have probably received before this time the volume of Tryon's Letter Book, by the hands of Professor Hedrick. Please present my kind regards to him, and accept the assurance of the high respect and esteem.

VIII.—Col. Peter Force to Hon. J. C. Dobbin.

WASHINGTON, August 22d, 1856.

Dear Sir: I have read with care and with interest the letter you have from Gov. Swain. His views cover the whole ground, and it will be a proud day for North-Carolina when his suggestions are carried into full effect. Every public paper in England that relates to the State should be obtained, for until that is done the materials for its history will not be complete, and this can only be done by the employment of an intelligent and faithful agent.

The only suggestion I have to make is in regard to the agent. He should not only be intelligent and faithful, but he should be familiar with the duties that would be required of him, and have a general knowledge of all the depositories of American papers in all the public offices in London, and as far as may be elsewhere. I know of but one person who has the ability and perseverance, united with the necessary acquaintance with the public offices and officers, to enable him to perform the task satisfactorily. The person I allude to is Mr. Henry Stevens, an American, who during several years residence in London, has become well known to the gentlemen in the various departments there, and who has furnished numerous transcripts of public documents and papers to public institutions and private persons in this country. If Gov. Swain could engage his services, I feel assured that what he purposes to have done for the State would be well done.

IX.—Rev. Dr. Hawks to D. L. Swain.

NEW YORK, Oct. 25, 1856.

My Dear Sir: On my return home, after an absence of three weeks I found your letter awaiting my arrival. This must be my apology, for not replying sooner. I rejoice greatly that our State has moved in the business of securing, while yet she may, such portions of our documentary history, as yet remain in England in the form of MSS.

I satisfied myself when in London, that there was much in the Colonial Office Papers of ante-revolutionary times, that we ought to have to make our story complete. But there is also, I am persuaded, much that is valuable in the hands of the descendants of the Lords Proprietors. On a proper application, I presume it might be obtained.

I am certain, however, that no agent but one already familiar with our history as far as it is known, can do us much good; and therefore, I rejoice that the work is committed to your hands. I am deeply interested in your prosecution of it to a successful termination.

In my own humble labors, I feel the need of documentary evidence yet in England: not in my first volume, for that you know embraces the early

attempt at colonization, under the auspices of Sir Walter Raleigh only, and I think I have about all that remains to us on that subject. But in my second and subsequent volumes, I have relied very much on this movement of the State, to furnish materials for speaking confidently and truthfully. I can, indeed, tell the story, from such sources of information as we have; but, as an honest man, I should be obliged frankly to say, though I have sought for *truth*, I am not sure I have always found it. I pray you, therefore, do not relax your efforts to get the matter that is in England.

I thank you very much for repeating your kind offer of aid in my work. The truth is, I did not mean to put any MS. but that of the first vol. to press, without our minute joint examination. As to the first, I knew just what material there was for it, and that neither you nor I could add to it; and besides, I was anxious, if possible, to lay the beginning of my work before the next Legislature, and say—you see what I am trying to do for our State—pray help me, by affording me unrestricted access to all our archives.

I hope to see you this winter, and to travel with you over a great deal of historic ground, now overgrown with thickets; but I trust we shall be able to cut our way through, and let in the sun-light.

I hope you will not deem it presumptuous in me to say, that I think you and I together can make a *true* history of North-Carolina. So far as my opinion is of any value, you are free to say, that I consider the thorough examination of the papers in England, by some one who, like yourself, knows all that we now possess of our early history, to be of the very first importance to a truthful narrative of the past; that we ought to possess copies of these papers; and that I earnestly hope our countrymen will facilitate, in every way they can, your efforts to obtain them.

Students of the State's history might well feel encouraged from the show of work already accomplished by the Historical Agency. This was evidently the case with the assembly, for at the same session it passed a resolution outlining still further the work yet to be done.

The Resolution is as follows:

Resolved, That the agent appointed under the resolution of the last general assembly, to procure documentary evidence in relation to the history of North Carolina, may, in case he shall deem it necessary to do so, examine the public archives, and other sources of information of our sister states, as well as the mother country, upon the conditions set forth in the said resolution, and report proceedings to the general assembly at as early a period as may admit of the proper performance of the duties assigned him. [Ratified Jan. 8, 1857.]

Governor Swain's comments on this resolution indicate very plainly the source whence came the inspiration for the resolution itself.

D. L. Swain to Governor Bragg.

SIR CHAPEL HILL, 1st Jany 1857.

The legislature in accordance with the recommendation contained in your message upon the subject have "Resolved that the agent appointed under the authority of the last general assembly to procure documentary information

in relation to the history of North Carolina may in case he shall deem it necessary to do so examine the public archives and other sources of information of our sister states, as well as the mother country, upon the condition set forth in the said Resolution and report proceedings to the general assembly, at as early a period as may admit of the proper performance of the duties assigned to him."

I availed myself of the opportunity afforded by a visit to Raleigh some days since to enter into a full conference with the committee who reported the resolution, in the course of which I endeavored to ascertain their views, and to present my own, with respect to the best mode of affecting the purposes contemplated by the resolution. I will endeavor to present a brief outline of the plan of operations, which seemed to find favor with the committee, and will be greatly obliged to your excellency for any suggestions you may be pleased to offer in relation to it.

The first settlers in Albemarle came from Virginia. The names of these immigrants and their precise point of settlement, if to be ascertained at all, will more probably be discovered among the records of titles to land and similar documents in the public offices in Virginia, than in England. The second colony planted upon the Cape Fear, removed within a few years from the date of settlement to South Carolina, and information in relation to it, may be sought with greater prospect of success [there] than elsewhere.

The battles of the revolution in the South were in various instances fought by troops from Virginia, North and South Carolina and Georgia intermingled. The correspondence preserved in the public archives of all these states must of course be collected and compared, in order to ascertain with certainty all that is desirable to know with respect to [the] most interesting event in the history of each state.

I intend to open a correspondence at an early day with the historical societies of the states with which our history is most intimately connected and blended, and request that they will ascertain by early and particular examination the extent to which they can contribute materials for the construction of our history. In the meantime I will institute a pains taking search among our archives, for such records and information as I may suppose to be of corresponding value to the states concerned. After the requisite researches and arrangements are completed, I will go to Richmond, Charleston and Savannah, in the further prosecution of my purposes, and ascertain with greater accuracy, by personal conference, the extent to which their historical societies can contribute to our and we to their stock of historical information. Much may probably be obtained at home which is not to be found abroad, and much to be acquired by research in England would be sought for in vain in this country.

The execution of the foregoing scheme and further researches in this State, will probably occupy all the time it will be in my power to devote to the accomplishment of the purposes of the general assembly, during the present year. At the close of this period I will be much better prepared than at present to determine the precise point to which my enquiries abroad should be directed, and whether it will be indispensably necessary, that I shall make them in person, or rely upon agents for the performance of the duty.

Whatever course I may deem it proper to pursue in order to obtain documentary information from England I will enter upon the discharge of all the

duties confided to me with a determination to secure every manuscript at home or abroad essential to the development of our history, which can be obtained without unreasonable expenditure.

Among the earliest and most important duties to be performed in this state will be the arrangement of the records connected with the several departments of the state government, and especially those in the office of the executive and the secretary of state.

Permit me to suggest the propriety of your directing the several heads of department[s] and your private secretary to facilitate the accomplishment of the purposes designed in the creation of a Historical Agency by collecting and arranging the records in c[h]ronological order, and preparing such descriptive catalogues and indexes as will render them accessible, and susceptible of ready examination.[1] The performance of this labor will result in the arrangement of these offices in the manner best calculated to promote the convenience of the incumbent, as well as that of the public.[2]

In accord with these general outlines and plans Gov. Swain prepared and sent out in February, 1857, a circular letter in which he strove to awaken the historical feeling in the leading men of the State. This circular is as follows (from copy in the Mangum Correspondence):

CHAPEL HILL, Feb 10, 1857.

DEAR SIR:

The General Assembly have resolved that the agent appointed to procure documentary evidence in relation to the history of North-Carolina, may, in case he shall deem it necessary to do so, examine the public archives and other sources of information of our sister states, as well as the mother country, in the accomplishment of the object designed in the creation of a Historical Agency.

There is, no doubt, much interesting material for the construction of our history, in the public and private depositories of records in England, which cannot be obtained in this country; many interesting papers in the archives of our sister states, not to be found elsewhere, and perhaps not less important information, if it can be gleaned, collected and arranged, within our own borders.

It is my purpose to secure the possession, as nearly as may be practicable, of every species of documentary evidence essential to the true and full development of our history, which has been preserved in our own, in our sister states, and in the mother country.

To the accomplishment of this design, so far as relates to the necessary researches in North-Carolina, the earnest co-operation of one or more enlightened and patriotic citizens in every county is indispensable. May I not invòke your aid, with the assurance that it will be promptly and zealously rendered.

I desire to obtain all the information within your reach which may serve to illustrate the history of the State, or your own county, viz:—Accounts of

[1]Under a Resolution of Feb. 2, 1857, Quentin Busbee collected and arranged "in the archives of the senate, all the records and papers belonging thereto" for which he received $217.70. He seems to have collected the printed laws and legislative documents and his work may possibly have been done in accord with the above suggestion of Governor Swain.

[2]Governor Bragg's Letter Book, p. 700.

the various Indian tribes, which have, at any time, inhabited our territory, their wars among themselves, and their contests with the white people;—records of associations and accounts of other proceedings to resist the execution of the Stamp Act;—records of town, county and district associations organized under the Articles of American Association, adopted in 1774;—of revolutionary Committees of Safety;—Journals of Provincial and Revolutionary Conventions, Congresses and Assemblies, either printed or in manuscript;—Court records, especially of trials for treason;—Parish and Church Registers;—records of births, death and marriages;—files and single numbers of ancient newspapers, pamphlets, books;—accounts of early settlements, discoveries and inventions;—accounts of battles, descriptions of battle-fields and fortifications;—epistolary correspondence, and in fine, every thing which, in your estimation, may possess historical value.

Let me entreat you, moreover, in addition to the early collections indicated in the foregoing paragraph, to prepare, or secure the services of a competent person, to prepare a sketch of the history of your county.

To attain uniformity in the series of county histories which I hope to obtain through the intervention of my friends throughout the State, perhaps a better plan cannot be suggested, than to make Wheeler's Sketches of North-Carolina available to the purpose. Take his account of your county, and re-write it, correcting errors, supplying omissions, and enlarging or retrenching as you may deem best calculated to present your views of the past and the present, fully and fairly, to the consideration of the historian.

I venture the hope that I shall receive such assistance from personal friends, and patriotic and intelligent gentlemen, with whom I have not the advantage of personal acquaintance, as will enable me to place in the possession of the historian materials not less extensive and authentic than those at the command of any of our sister states.

Do me the favor to reply to this communication with as little delay as practicable.

And believe me, very sincerely and truly,

Your friend and servant,

D. L. SWAIN.

The fruits of this letter may be seen in many of the documents printed in the present series. Others perhaps went into that large collection of autograph letters, some of which were dispersed in 1883 while others have in recent years come into possession of the State.

C. The Proposed Compilation by Governor Swain and Dr. Hawks, 1858-1861.

In the meantime Dr. Francis L. Hawks had begun work on his History of North Carolina. He was an eloquent orator, an accomplished writer and a diligent investigator. The assembly by resolution of Dec. 23, 1856, had given him "leave to examine the public records and the library of this State, for the purpose of procuring such information as may be serviceable to him in preparing the history of North Carolina." But it is evident that Dr. Hawks and Governor Swain both felt

the disadvantage of working from fragmentary manuscript sources as compared with connected printed sources and that the most pressing need was that these sources, whatever they might be, should be gathered and then printed.

Francis L. Hawks to D. L. Swain.

N. York, Decr. 31. 1856.

My dear Governor,

Tomorrow will be New-year's day, & so I begin with offering to you and your family all the kind wishes that are appropriate to the Season. Your two letters with the Historical Report &c. all reached me safely, and for them I heartily thank you. Very glad am I too that the agency is continued. I have materials to be added to your list. In England I obtained copies of documents which make a large folio vol: of 650 pages—These relate primarily to the affairs of the Episcopal Church in No. Carolina, but contain a great deal of matter besides, relating to civil affairs as well as to other denominations of Christians. I have had copies made of all, and intend presently to add them to the stores of our Historical Society at the University. Among them I have letters from Govr. Tryon which I dare say are in his letter book that you obtained from Harvard. I note them that you may see.

1. Tryon to Soc: for propagating the Gospel—Brunswick, July 31, 1765.
2. Tryon to Lords Commissioners of Trade & Plantations, August 12, 1765.
3. Tryon to the Bp. of London, Brunswick, Oct. 6. 1765.
4. Tryon to Soc. for prop. Gospel, No. Carolina Oct. 1, 1766.
5. Tryon to Do- Do- Do- Brunswick, April 30, 1767.
6. Do. to Do- Do- Do- " July 18, 1767.
7. Do to Do- Do- Do " July 31, 1765.
8. Do- to Do- Do- Do. " Jany. 29, 1766.
9. Do- to Do- Do- Do. " June 10, 1768.
10. Do. to Do- Do- Do- " March 20, 1769.
11. Do- to Ld. Bishop of London " March 20, 1769.
12. Do- to Soc. for prop. Gospel. Bath, May 28, 1769.
13. Do- to Do- Do- Do- Brunswick, Sept. 3. 1769.
14. Do- to Bp. of London " June 10. 1768.
15. Do- to Rev. Mr. Drage, Salisbury. Newbern, July 9, 1770.
16. Do- to Vestry of St. Jas. New Hanover. Brunswick Feb. 9. 1770.
17. Do- to Do- Do- Do- Newbern, July 17, 1770.
18. Do- to Soc: for prop. Gospel. Newbern. July 22. 1770.
19. Do- to Vestry of St. Lukes, Rowan " Novr. 12. 1769.

Besides these my book contains some few from Gov. Josiah Martin; though I found among my Grandfathers papers, some years ago, a letter book of Martins, and deposited it in the office of State at Raleigh. I have now in my possession, copies I made from it.

1. Martin to Soc. for prop. Gospel. Newbern June 20, 1772.
2. Same to Bp of London— " June 20, 1772.

These two are all my London MSS. furnish. I do not think *Georgia* will furnish much, but So. Carolina & Virginia are worth examining. Our richest mine though is undoubtedly in England. * * *[1]

[1]A. L. S. North Carolina Historical Commission.

In November, 1858, Governor Swain and Dr. Hawks addressed a memorial to the assembly of 1858-59 in which was drafted an elaborate and admirable outline for a first series of volumes comprising a "Documentary History of North Carolina" and a second series to consist of the "North Carolina Statutes at Large." Their Memorial, printed as Document 49, session of 1858-59, is well worthy of reproduction in full:

To the Senate and House of Commons of the
Hon. the General Assembly of North-Carolina:

The undersigned beg leave, by means of this Memorial, to ask the attention of your honorable body to a subject of general interest to the citizens of all parts of the state, without distinction of party.

It is well known to members of your honorable body, that both your memorialists have, for some years past, been employed in a greater or less degree in the effort to collect and preserve all historic facts connected with the early settlement and progress of North Carolina, from the commencement of her political existence up to the present time.

Prompted to this work by the affection they bore to their native land, they have pursued their labors abroad as well as at home, among the private archives of our older families, as well as among the public records of the state, until the result of their efforts is the accumulation of a large mass of written documents, to say nothing of those in print, forming an exceedingly valuable and interesting series, illustrative of the history of North Carolina in various particulars.

In the examination of those in the public offices of the state, your memorialists have seen, with deep regret, that many of our earlier archives have been so injured by time, that portions of them are already illegible, and that unless means be speedily taken to preserve the contents of those that can yet be decyphered, there is reason to fear that ere long, the historic evidence they afford will be completely lost.

Your honorable body has already shown your appreciation of the importance of collecting and preserving the memorials of our past history. In the case of one of your memorialists, an appropriation has been made, to enable him, as the state's agent, to procure from England copies of documents there, illustrative of our past career; while a resolution of your honorable body has freely afforded to the other, unrestricted access, for historical purposes, to those we already possess.

Encouraged by these manifestations of interest and deeply impressed with the duty every state owes to itself to preserve and perpetuate its history, your memorialists are emboldened respectfully to submit to your honorable body a proposition, which, if approved by your judgment, will enable the state, with a due regard to economy, to accomplish a desirable object in which every one of her citizens is interested.

The proposition is, the publication, under the authority and auspices of the state, of a chronologically arranged series of her archives, which, when completed, will form the "Documentary History of North Carolina."—Several of the other States of the Union have done or are now doing this thing; but no southern state has yet ordered it; and we confess we would fain see our own the first to engage in such a purpose, with the determination to hand down to posterity the story of our ancestors. Of that story, with all becoming mod-

esty, we venture to say, it will be found a record so honorable, that the descendants of those ancestors can point to it, not boastfully, but gratefully, as evidence that their fathers were true men, of whom their posterity may speak proudly, and without a blush.

Of the details involved in such a work, your memorialists would briefly speak.

1. Materials.—These would consist of all our public records that would properly belong to such a work; of all the documents of historic interest belonging to private families in the State; and of documents in the public offices of England. As it respects the last named, it became known to one of your memorialists, in the course of his labors, that copies of nearly all of these are already in this country. They belong to our distinguished countryman, formerly minister of the United States at the Court of St. James, the Hon. George Bancroft.

They were procured by him, while resident in Europe, for historic purposes of his own. By the liberality of their owner, one of your memorialists has been allowed the freest access to these, and can, therefore, attest their value. They consist of many folio volumes of MSS. transcripts made from the originals, under the supervision and at the sole expense of Mr. Bancroft. With a generosity and zeal in the cause of American history, above all praise, Mr. Bancroft handed to one of your memorialists a letter (of which a copy is appended to this memorial,) freely offering to the state of North-Carolina the gratuitous and unrestricted use of all these valuable MSS., on the single condition that the state would print, and thus preserve them as part of her documentary history. In addition to this, as we are possessed of a full catalogue of the North-Carolina colonial papers in the public offices of England, Mr. Bancroft stated that such were his arrangements in that country, that, should it be found any paper which the state might desire to have, was accidentally omitted in his collection, he could, by means of that catalogue, so designate the document, that he could readily put us in the way of obtaining a copy. In short he thought the whole expense of a special agency to England to procure the documents illustrative of North-Carolina history might be saved.

2. Mode of Publication.—On this head, your memorialists would respectfully submit to your consideration that the cheapest and best plan would be to provide the necessary means by legislative appropriations of sums certain from time to time. The work could not be all done at once. It must extend over some period of time, as it would be otherwise impossible to prepare it properly for the press. A portion, therefore, might be printed each year, and an appropriation made accordingly. It is proper to add, that no one can, with certainty, say how many volumes would be necessary to comprise the whole. The exercise of a proper discretion in this respect would be within legislative control by means of granting or withholding appropriations.

The volumes as published would belong to the state, and be disposed of by direction of the legislature. The profit arising from the sale of such copies as were put in the market would belong to the State.

3. Preparing and Editing the Work.—This requires care and a tolerably extensive knowledge of the history of the state in all its periods. Notes explanatory of some of the documents would sometimes be needed. The arrangement of the materials under proper heads would also demand the judgment and research of an editor. Your memorialists beg leave to say,

they trust not immodestly or presumptuously, that if in the judgment of your honorable body, they be deemed competent to this work of editing, they will very cheerfully and to the best of their ability, undertake the labor, on two conditions: first, that the work shall be carried to completion; and, secondly, that they be permitted to bestow their labors gratuitously.

As kindred to this subject, your memorialists would also invite the attention of your honorable body to the consideration of a publication of the North-Carolina Statutes at Large. Of these they believe they can now furnish a copy and such a publication, with historical notes, would of itself furnish no bad history. Virginia and South-Carolina have both very wisely had a work of this kind executed. Your memorialists would also edit these, on the conditions already named. And with these two publications completed, North-Carolina could point to her authentic history, even should no narrative of it ever be written.

D. L. SWAIN,
FRANCIS L. HAWKS.

Raleigh, Nov'r, 1858.

NEW YORK, April 12th, 1858.

My Dear Friend: If the state of North-Carolina should wish to become possessed of my collection of papers illustrating the history of that state by printing them, I fully authorize you to say, that they are at the service of that commonwealth for that purpose without reservation on my part, and free of any expense that I may have incurred in making the collection.

I am ever, my dear sir,
Very truthfully yours,
GEORGE BANCROFT.

REV. DR. HAWKS.

The senate committee on the Hawks-Swain Memorial was composed of Bedford Brown, W. L. Steele, Josiah Turner, Jr., R. S. Donnell, B. M. Edney, and J. T. Gilmore. The house committee was J. M. Morehead, R. R. Bridgers, David Outlaw, James M. Bullock, John Kerr, W. T. Dortch, and W. N. H. Smith. In accord with their recommendation and in response to this Memorial the assembly passed the following Resolution:

That the governor be authorized to enter into an arrangement with Dr. Francis L. Hawks [and] Hon. David L. Swain to edit and publish, within the next two years, two volumes of the "Documentary History of North Carolina or of the Statutes at Large," of this State, upon the plan and conditions set forth in their Memorial to this general assembly; Provided, That edition shall not consist of more than 1000 copies of each volume. [Ratified Feb. 16, 1859.]

An effort was also made in the same assembly to extend some state aid to Dr. Hawks, who was just then publishing the first and second volumes of his History of North Carolina. Hon. John M. Morehead introduced a bill into the house which provided that copies of the His-

tory should be bought for the public schools and that the teachers should actually read from the same from day to day to their classes. This bill was defeated in the house by a vote of 75 to 33 and in the senate by 26 to 12. The original bill was then amended by Mr. Caldwell of Guilford so that it instructed the Literary Board to buy Hawks's History, volumes I and II, "for the use of each common school in the State" and pay for the same out of the escheats that then went to the University. This passed the house by a vote of 74 to 14 and was sent to the senate where it also was defeated by 26 to 12.

The assembly of North Carolina did not realize that no local historical work of this character can live without the due recognition by the State. Doctor Hawks's History was never finished nor did the proposed volumes of documentary records ever materialize.

The friends of historical investigation in North Carolina, although they recognized that the time was not propitious, were not yet willing, however, to cease from their efforts, and the assembly of 1860-61, conscious of impending danger and desirous of putting this precious material beyond the reach of danger, passed the following Resolution:

That the secretary of state and the state librarian be and they are hereby directed to contract for the printing of 100 copies of the following manuscript records now in the office of the secretary of state, to wit:

1st. Journals of the assembly of the province of North Carolina, held in the year 1715.

2nd. Journals of the assembly of North Carolina, from the year 1754 to the year 1775.

3rd. Council book or proceedings of the governor and council of North Carolina, from the year 1734 to 1740.

4th. Council book or proceedings of the governor and council of North Carolina, from the year 1764, till the Revolution.

5th. Journals of the Provincial Congress of North Carolina, from 1774 till the Revolution.

6th. Journals of the general assembly from the year of independence to the year 1800, not hitherto published, and not now found in the state library.

Resolved further, That the secretary of state and the state librarian be and are hereby directed to have the colonial records and legislative proceedings herein ordered to be published, printed at the North Carolina Institution for the Deaf and Dumb and Blind.

Resolved further, That the secretary of state and the state librarian have the said copies of the foregoing records and documents bound and deposited in the office of secretary of state, subject to the further orders of the general assembly. [Ratified Feb. 23, 1861.]

It would seem that some effort was made to carry into effect the terms of this resolution, for we find in the report of the comptroller for the

year ending Sept. 30, 1861, the following expense entry in April, 1861: "Misses Litchford and Stuart for copying colonial records under resolution of general assembly authorizing the publication thereof, $14.60." In the same report we find another entry of the same kind and evidently referable to the same source (Dec., 1860): "D. L. Swain for Martin manuscript of History of North Carolina, $103.50."

It was now 34 years since the state had made its first serious effort looking toward the collection of the original sources relating to its colonial history. Much manuscript material had been brought together from secret and widely scattered recesses within the State itself, while others had come to the State from public libraries from beyond her borders, but none had come directly from the land beyond the sea. The assembly had often resolved that this and that be printed, but nothing had actually been published relating to the colonial period except the Indexes to Documents of 1843. In this connection one more resolution—one passed by the Convention of 1861—is to be chronicled:

> Whereas, Resolutions ratified the twenty third of February, 1861, were passed at the last general assembly, directing the printing of certain colonial and other records:
>
> Resolved, That the publication of the same be suspended until further order from this convention, or of the general assembly of the State. [Ratified December 12, 1861.]

This was the end. Clio had yielded to Bellona.

D. The Renaissance of Historical Studies in North Carolina.

For the score of years following 1861 there is no mention of history in those records which may be properly styled the official autobiography of the state. During those two decades the men of North Carolina did their share towards fighting a great war to a finish and then in redeeming the South from the pall of African darkness which had begun to settle over it. By 1876 home rule had been restored and the people had opportunity to look around them and readjust themselves to the new situation. It is no little to their credit that they turned so soon from the pressing needs of the day and began again to take up the threads of historical investigation where they had been dropped when the student exchanged the stylus for the sword.

Governor Jarvis, who had a part in the inception of this awakening, has recently told the story of that part. It seems well to reproduce that story, as it too forms an interesting human document.

The people of North Carolina have been history makers but not history writers. They have been doers of great things, but they have been criminally careless about the writing of the records and preserving them. I propose, with the permission of your president, to narrate just two or three little instances that illustrate this fact. In 1879, soon after I had the honor of being inaugurated governor of North Carolina, Col. F. A. Olds, then the quartermaster-general of the State Guard, who was then, as he is now, always trying to do something for the state, came to me one day and said, "Governor, would you be willing for me to go down to the old arsenal, clean it out, throw away all the old *débris* in it, and fix up the building for the State Guard to preserve the ammunition and arms." I said, "Fred, I don't know about that; I don't know what is there, but we will walk over there and see." We went into the old arsenal and there found a large number of old knapsacks, old military clothing of the Kirk-Holden war, large piles of old papers; and there, too, were ballot boxes in which the people had voted at the three-days' election in April, 1868. These ballot boxes had been sent to Charleston, S. C., the votes counted there by General Canby, and then the boxes had been sent back here and put away in that old arsenal. In addition to the old military accouterments and ballot boxes there was more than a wagon load of old papers, documents and manuscripts of all sorts. I said to Colonel Olds, "Fred, get Colonel Saunders to come down here with a servant to help him. You and he can examine these records; whatever he says is worthless you can throw away or destroy." We spoke to Colonel Saunders about it and he consented. Will you believe me when I tell you in that old pile of *débris* they found the original manuscript copy of the journal of the Halifax convention, which formed our first state constitution? You may be curious to know how it got there. I happen to know that.

In 1868 a man named Ashley was elected superintendent of public instruction. He was assigned to the room on the third floor of the west wing of the capitol. He did not like this room for his office, and he did not want to remain there. At that time the supreme court occupied the two rooms now occupied by the secretary of state, the secretary of state had the larger of the two rooms now occupied by the auditor, and the auditor the smaller one. The governor and his council made an order to move Ashley down on the first floor in the office occupied by the secretary of state, to move the secretary of state to the supreme court room, and to move the supreme court up to the garret to the room occupied by Mr. Ashley. Judge Pearson and his associates were very indignant. They appealed to the legislature; a bill was introduced in the house of representatives to assign the garret room to Ashley and to allow the court to remain where it was originally, and for twenty-four hours a fierce conflict went on in this hall between the friends of the supreme court and the friends of the educational department. Finally the democrats took the side of the supreme court and passed the resolution. While that conflict was going on up here, Ashley was busy down in those two offices below moving everything and trying to get possession before we could pass the resolution, and the rotunda of the capitol was piled up with wagon loads of the records, which had been moved out of the office of the secretary of state. And after we had passed the resolution, instead of putting those records back where they belonged, they gathered them up and put them in that old arsenal. * * *

There is another instance that I want to mention. I suppose there is no lover of North Carolina who does not glory in the fact that the state had a loyal, faithful son by the name of William L. Saunders, who compiled and edited the

Colonial Records of our state. Let me tell you how he came to undertake that great work. After he had found that old manuscript copy of the journal of the Halifax Congress down in the old arsenal, he said to me one day, "Governor, isn't there some way that can be devised to enable me to collect the Colonial Records of the Colony of North Carolina and get them together so as to preserve them?" I replied, "I don't know, Saunders, but I will think about it. Come to-morrow and we will talk this matter over." He came and I said, "I will tell you what to do. Write a simple little resolution to this effect: 'That the trustees of the state library are authorized to take such steps as in their judgment may be necessary to collect and publish the Colonial Records of the colony of North Carolina.'" Well, he wrote it. I sent for two or three members of the legislature, handed it to them, and asked them to have that resolution passed. You will find it in the public laws—a little resolution it is, in length, but no man can tell how much it cost to carry it out, or the intrinsic, the eternal, the everlasting value of the work now that it is done!

Of course, the legislature did not inquire into the magnitude of the work or the probable cost, but they were willing to trust the trustees of the state library, who happened to be myself, Saunders, and Scarborough. After it was passed I said to Colonel Saunders, "I have plenty of my own work to do. You look after this and when you want a meeting of the trustees call it, and understand you always have two votes, yours and mine." * * *[1]

After this interesting excursus into the field of reminiscence we come back to the solid ground of documentary evidence.

In the assembly of 1881, the Hon. Theodore F. Davidson, later attorney general, was a member of the senate from the 40th district. On January 13, 1881, he introduced into the senate and championed a bill "to authorize the trustees of the public library to publish certain public records, &c." The bill was duly referred to the joint committee on the library and seems to have met with little or no opposition, was regularly reported favorably on Feb. 2, and on Feb. 4 passed its several readings and was sent to the house, where it was duly passed on Feb. 10. It stands as chapter 88, Laws of 1881, and is as follows:

SECTION 1. That the trustees of the public library are hereby authorized to publish such number of volumes of suitable size, of the records, papers, documents and manuscripts as they may deem proper, bearing date prior to the years 1781, belonging to the state of North Carolina: Provided, That the printing and binding shall be done by the public printer and binder at the rates fixed by law and paid for out of the fund appropriated in section four, chapter ninety six, Battle's Revisal, for the increase of the public libraries of the state.

SEC. 2. That the said trustees shall have authority to sell on such terms as they may deem proper any volumes printed under authority of this act that may not be reserved for the use of the said public libraries.

SEC. 3. That this act shall take effect from and after its ratification. [Ratified Feb. 17, 1881.]

[1]From address before the N. C. Literary and Historical Society, Jan., 1911.

The trustees of the public libraries were at that time Governor Jarvis, W. L. Saunders, secretary of state, and John C. Scarborough, superintendent of public instruction. To the assembly of 1883 Saunders and Scarborough made a report, as trustees, showing the progress already made under the act of 1881, explaining why no publication had as yet been made and asking for aid to carry on further researches.

This report appears as Document 20, session 1883, and is as follows:

REPORT OF THE TRUSTEES OF THE LIBRARY.

ROOMS STATE LIBRARY,
February 3rd, 1883.

To the Honorable the General Assembly of North Carolina:

The trustees of the public libraries, though not required by any law to make a report to your honorable body, think it expedient in the discharge of their duties to do so at this time.

Their purpose is, respectfully, to show to your honorable body, the progress they have made in the discharge of the duties imposed upon them by the provisions of chapter 88, laws of 1881, with reference to the publication of the Colonial Records of North Carolina, and the reason why they have not made greater progress.

The attention of the trustees was called at an early period of their term of office, to the records in the office of the secretary of state, and whenever the press of other duties permitted they prosecuted the task of examining those records. Their condition demonstrated the absolute necessity of securing to them at once, the perpetuity of print, the only sure guarantee of permanent preservation. Near a quarter of a century ago, those two devoted sons of this state, David L. Swain and Francis L. Hawks, in a memorial to the legislature said they had "seen with deep regret that many of our earlier archives have been so injured by time that portions of them are already illegible, and that unless means be speedily taken to preserve the contents of those that can yet be deciphered, there is reason to fear that ere long the historic evidence they afford will be completely lost." The lapse of time has proved how well grounded were the fears they entertained.

In their work of examination, the trustees took the adoption of the constitution on the 18th of December, 1776, as their starting point and proceeded with their task, going from later to earlier date, until some degree of familiarity was attained with all of what may properly be termed on [our] public records, from 1776 to 1711, in the secretary's office.

The Letter Book of Governor Tryon, consisting of a complete file of his dispatches back to the home government, the great value of which, even the most cursory examination makes apparent, suggested the existence of other governor's letter books of a similar character. That of Governor Martin was in the order of things first sought for, and especially to be desired, for it could not be doubted that his dispatches from his inauguration until he was driven aboard ship at Fort Johnston, that is to say, from 1771, till July, 1775, would be a most instructive presentation of men and things in North Carolina at that period. But no where could Martin's Letter Book be found.

Application was made to Colonel Wheeler and others to know if such a thing as Martin's Letter Book had ever been in the secretary's office. He replied in the negative, but stated that he possessed copies of some and copious extracts of many of Martin's dispatches, made by him from the originals in the public offices in London, and these the trustees obtained from him.

Further examination showed further important gaps in our records of like character. Indeed, Tryon's Letter Book is the only ante-revolutionary governor's letter book that we have. The question then presented itself whether to prepare to go to press with the material we had, or wait and make an effort to fill up its gaps. In determining this question it became necessary to consider the various sources from which we might reasonably expect to find the necessary records.

THE WILLIAMSON COLLECTION.

Dr. Williamson published his History of North Carolina in 1812, and he doubtless had a valuable collection from his own description of it. So far, however, as the knowledge of the trustees goes, no one knows what has become of this collection.[1]

THE MARTIN COLLECTION.

This collection too, was doubtless an exceedingly valuable one. The present value of it, however, is probably not very great. Of its documents Judge Martin himself said in 1829, "In their circuitous way from Newbern to New York and New Orleans, the sea water found its way to them; since their arrival, the mice, worms, and the variety of insects of a humid and warm climate, have made great ravages among them. The ink of several very ancient documents has grown so pale as to render them nearly illegible, and notes hastily taken on a journey are in so cramped a hand that they cannot be deciphered by any person but by him who made them."

If such was the condition of the collection in 1829, more than fifty years ago, what is it now? Inquiry is, however, now being made looking to its recovery.[2]

THE SHOCCO JONES COLLECTION.

The private manuscripts used by Shocco Jones in preparing his Defence of North Carolina were recovered and returned to their owners some twenty-five years ago or put in other collections.

THE WHEELER COLLECTION.

The hopes that were recently excited by the statement that Colonel Wheeler had bequeathed his valuable historical papers and manuscripts to the State was soon dissipated by information from his son that they had been otherwise disposed of before his death. There is now no reason to think that North Carolina will ever reap any further benefit from his labors.[3]

[1]For further account of Williamson's work, see ante, p. 12.

[2]For more details, see p. 13, ante.

[3]The larger part of the Wheeler library was sold by Bangs in New York City, April 24, 1882. It was neither large nor valuable and had little North Carolina material. The more valuable North Carolina documents and laws were reserved by his son, Major Woodbury Wheeler, a part going to the Library of Congress and a part being bought in March, 1899, by the present writer. My own opinion is that the Wheeler collection was never of much value from either the monetary or historical point of view. See also ante, p. 36.

THE HAWKS COLLECTION.

So far as the information of the trustees goes the whereabouts of this collection is not known, although frequently inquiries have been made concerning it.[1]

THE SWAIN COLLECTION.

Of this collection, the most valuable probably ever made, and doubtless the repository of documents from every other preceding collection, we can speak with certainty, for within a few days past Mrs. Swain, the widow of the late Governor Swain, has generously made a donation for the public benefit of all the papers it contains of historical value. This collection was the fruit of fifty years devoted, intelligent, indefatigable, and painstaking research. Of its fulness we may judge from Governor Swain's declaration in his report as agent for the state to procure documentary evidence of its history made to the governor in 1856, that there were few important papers in North Carolina which reflect light upon the colonial era which were not in his possession or at his command. The trustees cannot refrain from expressing their sense of the obligation of the people of North Carolina to Mrs. Swain for her generous and timely donation, and they can but believe the obligation will be remembered with gratitude by generations to come.[2]

None of these collections, however, claim to fill the gaps in our records. Dr. Williamson, in the preface to his History, calls attention to "the chasms in the journals and records remaining in the secretary's office,"[3] and suggests that they might be easily supplied by reference to the records in the public offices in London, and Governor Swain died lamenting that circumstances had prevented him from carrying out Dr. Williamson's suggestion. None of these collections therefore, even if we could get them intact, promise any help.

As late as 1856 Dr. Hawks wrote to Governor Swain saying, "I feel the need of documentary evidence yet in England; not in my first volume. . . . But in my second and subsequent volumes I have relied very much on this movement of the state for speaking confidently and truthfully. . . . So far as my opinion is of any value, you are free to say, that I consider the thorough examination of the papers in England by some one who, like yourself, knows all that we now possess of our early history, to be of the very first importance to a truthful narrative of the past, that we ought to possess copies of these papers; and that I earnestly hope our countrymen will facilitate in every way they can, your efforts to obtain them."

[1]The Hawks Collection of books was bought in 1867 by William Niblo and presented to the New York Historical Society, where it is preserved, being known as the Hawks-Niblo Collection. It is very rich in the sources of North Carolina history which had been printed up to that time. (See "The Hawks Memorial" issued by the New York Historical Society, 1871, which contains a catalogue of the Collection.) There is no record in the Catalogue of any manuscript materials. It is understood that Dr. Hawks's personal manuscripts went to North Carolina before the war for the purpose of becoming a part of the Documentary History which he and Governor Swain had in mind to edit. See ante, p. 61. And from his own statements it is evident that he depended on Bancroft for a large part of his manuscript material.

[2]See the Catalogue of the Swain Collection of Autograph Letters. Raleigh, 1885. This was undoubtedly the largest and most valuable collection of colonial and revolutionary manuscript materials ever gathered by a private individual in the history of the state. See also post, p. 147.

[3]See ante, p. 12.

The archives of Virginia, South Carolina and Georgia will doubtless be of some service when properly examined, but this it may be said is a matter of speculation. Not so with the archives in London, however. What they contain is a matter of absolute recorded certainty.

RECORDS IN LONDON.

To the public offices in London public attention has been turned from the beginning as the proper place from which to get materials to fill the gaps and chasms in our records, and the legislature has taken action thereon time and again. * * *

[Here follow the Resolutions of 1827 and they are followed in turn by a summary of the various steps taken by the legislature 1827 to 1861 looking towards the publication of the records as already given in detail on p. 29.]

WHAT IS LACKING.

The documents that we specially need are the journals of the council of state. prior to 1711; the journals of the lower house of the legislature to 1754; those of the upper house prior to 1765, and the dispatches of the various governors.

Tryon's Letter Book is a perfect treasure to all who desire information in regard to North Carolina at the period of which it relates, and from every standpoint. And what Tryon did in his dispatches, we doubt not his predecessors did in theirs, that is to say, presented a living picture of the colony at the time of writing, and this constitutes the great value of these dispatches.

The inspection of the list furnished by Mr. Gallatin shows that in a great degree the documents we need are to be had in London. Nor will the mass of the matter seem to be so great when it is remembered how brief were the sessions of the legislature in early days.

In view of all these facts, the trustees determined to print nothing until an appeal was made to the legislature for authority and assistance to procure from London the lacking documents. That they will be gotten sooner or later we doubt not, but we earnestly hope that authority will be given to us to have it done at once. For over fifty years the general assembly has been authorizing this thing to be done. Let it now be done, done well and done for all time.

In case, however, the general assembly shall take no action in response to this appeal, the trustees will in due time proceed to publish the fragments of records they now have. In this event they doubtless will make the publication in four volumes, both by reason of the natural division of the subject matter and of economy in publication.

The contents will be about as follows:

Volume I. Will contain our scanty records of the rule of the Lords Proprietors, to 1729, and of the royal governors Burrington and Johnston from that date to 1754. Governor Johnston's administration, if the matter of our records on our shelves was sufficient, would deserve doubtless to be chronicled in a volume to itself. But the matter is not sufficient to justify the additional expense of such an arrangement.

Volume II. Will cover Dobbs's administration, that is to say, the journals of the lower house of the legislature, and of the council of state from 1754 to 1765, being all we have.

Volume III. Will cover Tryon's administration, that is to say, the council journals, the journals of both houses of the legislature, and his letter book—from 1765 to 1771.

Volume IV. Will cover Martin's administration, that is to say, the journals of the council of state, and of both houses of the legislature from 1771, to April, 1775, when he fled from Newbern; the five provincial congresses; journals of the councils of safety, etc.; such dispatches as we have from Martin to the home government; the journal of the Wilmington Safety Committee, etc., etc.

A comparison of the Martin dispatches obtained from Colonel Wheeler, with the list of those on file in London, shows that what we have is only a small proportion of those in existence.

It may be further stated, that in the event we have to go to press without completing our records, that the third of the above volumes will be first printed, and at no very distant day. There are fewer "chasms" as Dr. Williamson called them during that period than in any other, in fact there are scarcely any at all.

In response to this appeal from the trustees of the public libraries, on March 3, 1883, Col. Samuel McDowell Tate, member of the house from Burke, introduced into the house a short resolution embodying the desires of the trustees. Col. Tate championed the measure, which met with little opposition. It passed the house on the eighth and was sent to the senate. It was received in the senate on the 8th, was supported on the floor by Hon. James L. Robinson, then speaker, and passed its second and third readings the same day. It was ratified on the last day of the session and is as follows:

PUBLIC RESOLUTION.

That the trustees of the public libraries be and they are hereby authorized and directed to procure such of the colonial records of this State as may be missing from the archives of the State, and to publish them with the records heretofore authorized to be published. And in case the library fund shall prove to be insufficient to meet the expenses incurred in carrying out this resolution, the author is directed to draw his warrant for such sums as the trustees aforesaid shall certify to him to be needed to complete said work. [Ratified March 12, 1883.][1]

After the passage of the Resolution of 1883 it was possible for the trustees to begin work in real earnest. In the preface to the first volume of the Colonial Records Col. Saunders has told of the steps that were then taken:

The first step taken under the resolution was to secure the services of Mr. W. Noel Sainsbury of the British Record Office, . . .

[1]Chapter 88 of the laws of 1881 and the above resolution are brought forward in the Code of 1883 as secs. 3608, 3610 and 3611.

To the historical student, Mr. Sainsbury needs no introduction. For the information of others, however, it may, perhaps, be well enough to state that Mr. Bancroft writes that Mr. Sainsbury is a "veteran in the State Paper, now Record Office, of Great Britain. I have known him for nearly forty years; have employed him very frequently during that time, and have always found him intelligent, accurate, and in every way trustworthy. My own collection of documents is full of copies of state papers which he has made for me. Having been so long in service, and so much appealed to by American scholars, he has become thoroughly familiar with the subject as may be seen from his Colonial Series of State Papers reaching from 1574 to 1668."

With such commendation from such a source, every one may feel assured that Mr. Sainsbury has done his part intelligently, faithfully and thoroughly. His instructions were to do the work so thoroughly and so exhaustively that there would never be need or desire for it to be done over again, and it is believed that we now have copies of all North Carolina colonial papers in the British Public Record Office.[1]

The original act of 1881 had limited the proposed compilation to the period prior to 1781 and the ten volumes of Colonial Records edited by Colonel Saunders had carried the work through 1776. After Judge Clark undertook the editorial work it was found desirable to extend the period to be covered to 1790 and to provide for an Index which was lacking in the separate volumes as printed. This was done by chapter 464, laws of 1895:

SECTION 1. That section 3609 of The Code is amended by striking out the words "eighty one" in line five and inserting instead the word "ninety."

SEC. 2. That section 3610 is amended by striking out the word "colonial" in line two and inserting after the word "state," in line three the "or copies of the same, or of other unpublished material illustrative of the history of the state down to January first, A. D., one thousand seven hundred and ninety (1790)."

SEC. 3. The trustees of the public library will cause an index of these records, from the first volume of the Colonial Records down to January first, one thousand seven hundred and ninety (1790), to be prepared and printed in the volume which shall embrace the year one thousand seven hundred and eighty nine (1789).

SEC. 4. That this act shall be in force from and after its ratification. [Ratified Mar. 11, 1895.]

Finally there comes the act of 1901 (chapter 632) which amends and extends the act of 1895:

SECTION 1. That chapter 464, laws of 1895, is hereby amended by striking out "1790" wherever it appears in said act and inserting in lieu thereof "1791." the intent of this statute being to extend the publication of the State Records down to 1st January, 1791.

[1]Preface to Col. Rec. I, pp. vi-vii.

SEC. 2. This act shall be in full force from its ratification. [Ratified March 13, 1901.][1]

But troubles were not yet over. In the preface to volume XI, the first of the series of State Records edited by Judge Clark, he tells of some of the difficulties that confronted the new editor. He says:

At a period somewhat prior to the death of the late Col. William L. Saunders, the compilation and publication of the Colonial Records which, under his efficient superintendence, had reached from the beginnings of the province down to and inclusive of the year 1776, and filled ten large folio volumes, were suspended. This work was not resumed for some years, till in 1893 the undersigned, at the invitation of the trustees of the state library, assumed the continuation of the work of collecting and publishing. It was soon ascertained that the difficulties of the work and the scarcity of material were much greater than had attended the preparation of the ten volumes already issued, and that this scarcity of material, even more perhaps than the failing health of Col. Saunders, had caused him to suspend at the end of the year 1776, instead of bringing the work down to the year 1781, as authorized by The Code, section 3609.

Down to the outbreak of hostilities in 1775, and the flight of Gov. Josiah Martin from the state, copies of all important papers were "sent home" to England, and there preserved in the Public Records office. When the state determined upon the publication of her Colonial Records a tolerably complete set of these official records were to be found in London. Under the instructions of Col. Saunders, these were copied for the state by W. Noel Sainsbury, Esq., who was admirably fitted for the work by more than forty years acquaintance with these records. After passing through his hands and those of Col. Saunders, these copies formed the chief material for the ten volumes which have been issued, the additions from other sources being comparatively insignificant.

But with the year 1776, this source of supply ceased. Copies of official records were no longer sent to England to be filed, and consequently the state is thenceforward thrown upon her home resources for historical records. These are very meager indeed. For many years after 1776 the governor and other executive officers resided at their homes, often at remote points, meeting only when the legislature was in session. There was no permanent seat of government for nearly a score of years, and no fixed and safe depositories for the public archives. Papers thus scattered and little cared for soon became much disordered and a large portion of them were lost or destroyed. As for those which remained to be transferred to the capital when it became settled at Raleigh, a large part were burned in the fire which destroyed the capitol building on June 12, 1831, others were destroyed when Raleigh was taken possession of by the Federal troops in 1865, and some valuable documents disappeared during the régime of 1868-70, when many new men of doubtful character filled unaccustomed seats in the legislature and other official positions. Valuable papers from time to time have been loaned to historians and lost, or at least have not been returned, and besides this there has been the natural waste of material kept in ill-ventilated and damp recesses without attention or care.

[1]The acts of 1881, 1895 and 1901 and the resolution of 1883 are brought forward as section 5071 of the Revisal of 1905 and as section 5071 of Pell's Revisal.

It may be imagined, therefore, that our early archives are conspicuous from their poverty. Little was to be found therein save such portions of the executive correspondence as many years after this date had been copied into the executive letter books and a part of the journals of the legislature, some of these last being lost and others mutilated. An attempt was made to supplement our stores from the archives at Washington, but the same waste of material consequent upon a peripatetic capital had lessened the quantity of material to be found there, which had been still further diminished by the burning of the War Department early in the century, and again, a few years later in 1814, when the British captured Washington and destroyed the public buildings.

The writer visited and inspected the "Draper" collection preserved in the capitol of Wisconsin, the Astor and Lenox libraries in New York, and the State and War and other departments in Washington City, and has gathered fragments, as they could be found, from various other sources. After all, the collection is very unsatisfactory, but probably represents very nearly the sum total of the historical material (not heretofore printed), which at this late day can be gathered together. It must always be a source of lasting regret that the legislature of 1829 did not accept the offer of Judge Murphey, to collect and publish such of the early archives of the state as at that date still remained.[1] We possess a bare fragment of the stores accessible to him. The correspondence of General Gates in 1780, so far as it relates to this state, has been copied from the originals on file in the Astor Library in New York, and there is a possibility of securing copies of General Greene's correspondence, 1781-3, relative to North Carolina and North Carolina troops while commanding the Southern Department. Permission to copy these was given, but the owner having died before it could be done, the letters have now passed into other hands.

Application was made to W. Noel Sainsbury, Esq., to make a more exhaustive search in the Public Records office in London. The result has been the discovery of a few papers which were overlooked in copying the records for Colonel Saunders and many other papers were found in the South Carolina files in the English records office, the papers of the two provinces often pertaining to subjects of interest, common to both, not being filed in duplicate. These omitted papers have now all been copied and appear in the Supplement 1730-1776, which occupies the first part of the present volume.

[1]See ante, pp. 15-28.

CHAPTER II.

THE COLONIAL AND STATE RECORDS.

I. BIBLIOGRAPHICAL.

For the sake of the librarian and bibliographer of the future it seems desirable to give with fulness a detailed bibliographical account of these volumes, especially as there are many irregularities and inserted pages which do not appear in all copies, and for the sake of the busy student to point out briefly the main classes of materials to be found in their pages.

The / colonial records / of / North Carolina / published under the supervision of the trus- / tees of the public libraries, by order / of the General Assembly / collected and edited / by / William L. Saunders / secretary of state / vol. i — 1662 to 1712 / Raleigh / P. M. Hale, printer to the state / 1886 /

Collation: title, c. and pr. on v., 1 l.; editor's preface, iii-viii; prefatory notes by editor, ix-xxxiv; colonial records, 1-992. Total, 1026.

Size: The Colonial Records are 11½ x 7½ in., or 29 x 19 cm. and are uniform. The State Records are 10⅞ x 7¼ in. or 27.5 x 18.5 cm., but not entirely uniform. The Index is 11 x 7 in., or 27.5 by 18 cm., and uniform. The Colonial series was published uncut. All the other volumes were trimmed by the binder. The first five volumes were printed by E. M. Uzzell, Raleigh; vols. 6-10 by Edwards & Broughton, Raleigh; vols. 11-14 were presumably printed by Stewart; vols. 15 to p. 160 of vol. 28 (vol. 2 of Index) were printed by Nash; vol. 28 from p. 161 to vol. 29, p. 391, by the Observer, Charlotte; the remainder of vol. 29 and vol. 30 by E. M. Uzzell.

The / colonial records / of / North Carolina / published under the supervision of the trus- / tees of the public libraries, by order / of the General Assembly / collected and edited / by / William L. Saunders / secretary of state / vol. ii — 1713 to 1728 / Raleigh / P. M. Hale, printer to the state / 1886 /

Collation: title, c. and pr. on v., 1 l.; prefatory notes, iii-xix; colonial records, 1-923. Total, 942.

The / colonial records / of / North Carolina / published under the supervision of the trus- / tees of the public libraries, by order / of the General Assembly / collected and edited / by / William L. Saunders / secretary of state / vol. iii — 1728 to 1734 / Raleigh / P. M. Hale, printer to the state / 1886 /

Collation: title, c. and pr. on v., 1 l.; prefatory notes, iii-xviii; colonial records, 1-643. Total, 661.

The / colonial records / of / North Carolina / published under the supervision of the trus- / tees of the public libraries, by order / of the General

Assembly / collected and edited / by / William L. Saunders / secretary of state / vol. iv — 1734 to 1752 / Raleigh / P. M. Hale, printer to the state / 1886 /

Collation: title, c. and pr. on v., 1 l.; prefatory notes, iii-xxii; 1 l. blank; colonial records, 1-1348. Total, 1370.

The / colonial records / of / North Carolina / published under the supervision of the trus- / tees of the public libraries, by order / of the General Assembly / collected and edited / by / William L. Saunders / secretary of state / vol. v — 1752 to 1759 / Raleigh / Josephus Daniels, printer to the state / 1887 /

Collation: title, c. and pr. on v., 1 l.; prefatory notes, iii-lxi; colonial records, 1-144+144a-144h+145-1228. Total, 1297.

The / colonial records / of / North Carolina, / published under the supervision of the trus- / tees of the public libraries, by order / of the General Assembly / collected and edited / by / William L. Saunders / secretary of state / vol. vi — 1759 to 1765 / Raleigh / Josephus Daniels, Printer to the State / 1888 /

Collation: title, c. and pr. on v., 1 l.; prefatory notes, iii-xxxv; colonial records, 1-900+900a-900b+901-1154+1154a-1154b+1155-1322. Total, 1361.
Note.—In many copies of this volume pp. 1155 and 1156 are missing.

The / colonial records / of / North Carolina, / published under the supervision of the trus- / tees of the public libraries, by order / of the General Assembly / collected and edited / by / William L. Saunders / secretary of state / vol. vii — 1765 to 1768 / Raleigh: / Josephus Daniels, Printer to the State. / 1890. /

Collation: title, c. and pr. on v., 1 l.; prefatory notes, iii-xxxiv; 1 l. blank; colonial records, 1-168+168a-168f+169-990+1 l. blank+991-1009. Total, 1049.

The / colonial records / of / North Carolina, / published under the supervision of the trus- / tees of the public libraries, by order / of the General Assembly. / collected and edited / by / William L. Saunders, / secretary of state. / vol. viii — 1769 to 1771. / Raleigh: / Josephus Daniels, Printer to the State. / 1890. /

Collation: title, c. and pr. on v., 1 l.; prefatory notes, iii-xlviii; colonial records, 1-80+80a-80b+81-478+479a-479b+479-796. Total, 848.

The / colonial records / of / North Carolina, / published under the supervision of the trus- / tees of the public libraries, by order / of the General Assembly. / collected and edited / by / William L. Saunders, / secretary of state. / vol. ix — 1771 to 1775. / Raleigh: / Josephus Daniels, Printer to the State. / 1890. /

Collation: title, c. and pr. on v., 1 l.; prefatory notes, iii-xlvii; colonial records, 1-1285. Total, 1332.

The / colonial records / of / North Carolina, / published under the supervision of the trus- / tees of the public libraries, by order / of the General Assembly. / collected and edited / by / William L. Saunders, / secretary of state. / vol. x — 1775-1776. / Raleigh: / Josephus Daniels, Printer to the State. / 1890. /

Collation: title, c. and pr. on v., 1 l.; prefatory notes, iii-xli; colonial records, 1-138+138a-138b+139-618+618a-618d+619-680+1 folding table not numbered+681-870+870a-870h+871-1041. Total, 1096.
Total pages in ten volumes of Colonial Records, 10,982+1 folding table.

The / state records / of / North Carolina. / published under the supervision of the / trustees of the public libraries, / by / order of the General Assembly. / — / collected and edited / by / Walter Clark, / one of the justices of the supreme court of N. C. / — / vol. xi — 1776, and supplement — 1730 to 1776. / — / Winston: / M. I. & J. C. Stewart, Printers to the State. / 1895. /

Collation: title, 1 l.; preface, iii-vi; prefatory notes, vii-xx; supplementary colonial records, 1-305, with inset map between pp. 80 and 81; state records, 307-837. Total, 857+1 folding map.

The / state records / of / North Carolina. / published under the supervision of the / trustees of the public libraries, / by / order of the General Assembly. / — / collected and edited / by / Walter Clark, / one of the justices of the supreme court of N. C. / — / vol. xii — 1777-'78. / — / Winston:/ M. I. & J. C. Stewart, Printers to the State. / 1895. /

Collation: title, 1 l.; prefatory notes, iii-v; state records, 1-880. Total, 885.

The / state records / of / North Carolina. / published under the supervision of the / trustees of the public libraries, / by / order of the General Assembly. / — / collected and edited / by / Walter Clark, / one of the justices of the supreme court of N. C. / — / vol. xiii — 1778-'79. / — / Winston:/ M. I. & J. C. Stewart, Printers to the State. / 1896. /

Collation: title, 1 l.; prefatory notes, iii-xiv; 1 l. blank; state records, 1-734+734a-734o+735-1000. Total, 1029.

The / state records / of / North Carolina. / published under the supervision of the / trustees of the public libraries, / by / order of the General Assembly. / — / collected and edited / by / Walter Clark, / one of the justices of the supreme court of N. C. / — / vol. xiv — 1779 '80. / Winston: / M. I. & J. C. Stewart, Printers to the State. / 1896. /

Collation: title, 1 l.; prefatory notes, iii-xvi; state records, 1-876 (p. 586 is a map). Total, 892.

The / state records / of / North Carolina. / published under the supervision of the trus- / tees of the public libraries, by order / of the General Assembly. / collected and edited / by / Walter Clark, / one of the justices of the supreme court of N. C. / vol. xv — 1780-'81. / — / Goldsboro: / Nash Bros., Book and Job Printers, / 1898. /

Collation: title, 1 l.; prefatory notes, iii-xiv; state records, 1-789, with inset map between 380 and 381. Total, 803+1 map unnumbered.

The / state records / of / North Carolina. / published under the supervision of the trus- / tees of the public libraries, by order / of the General Assembly. / collected and edited / by / Walter Clark, / one of the justices of the supreme court of N. C. / vol. xvi — 1782-'83. / — / Nash Brothers, / book and job printers, / Goldsboro, N. C., / 1899. /

Collation: title, 1 l.; prefatory notes, iii-xii; state records, 1-1204. Total, 1216.

The / state records / of / North Carolina. / published under the supervision of the trus- / tees of the public libraries, by order / of the General Assembly. / collected and edited / by / Walter Clark, / one of the justices of the supreme court of N. C. / vol. xvii — 1781-'85. / — / Nash Brothers, / book and job printers, / Goldsboro, N. C. / 1899. /

Collation: title, 1 l.; prefatory notes, iii-x; state records, 1-1061. Total, 1071.

The / state records / of / North Carolina. / published under the supervision of the trus- / tees of the public libraries, by order / of the General Assembly. / collected and edited / by / Walter Clark, / one of the justices of the supreme court of N. C. / vol. xviii — 1786. / with supplement, 1779. / — / Nash Brothers, / book and job printers, / Goldsboro, N. C. / 1900. /

Collation: title, 1 l.; prefatory notes, iii-ix; state records, 1-825 (pp. 497-498 are a map of N. C. in 1783). Total, 834.

The / state records / of / North Carolina. / published under the supervision of the trus- / tees of the public libraries, by order / of the General Assembly. / collected and edited / by / Walter Clark, / one of the justices of the supreme court of N. C. / vol. xix — 1782-'84. / with supplement— 1771-'82. / — / Nash Brothers, / book and job printers, / Goldsboro, N. C. / 1901. /

Collation: title, 1 l.; prefatory notes, iii-vi; state records, h. t., 1 l.+1-1001. Total, 1009.

The / state records / of / North Carolina. / published under the supervision of the trus- / tees of the public libraries, by order / of the General Assembly. / collected and edited / by / Walter Clark, / one of the justices of the supreme court of N. C. / vol. xx — 1785-'88. / — / Nash Brothers, / book and job printers, / Goldsboro, N. C. / 1902. /

Collation: title, 1 l.; prefatory notes, iii-vii; state records, 1-793. Total, 800.

The / state records / of / North Carolina. / published under the supervision of the trus- / tees of the public libraries, by order / of the General Assembly. / collected and edited / by / Walter Clark, / chief justice of the supreme court of N. C. / vol. xxi — 1788-'90. / — / Nash Brothers, / book and job printers, / Goldsboro, N. C. / 1903. /

Collation: title, 1 l.; prefatory notes, iii-vi; state records, 1-1083. Total, 1089.

The / state records / of / North Carolina. / published under the supervision of the trus- / tees of the public libraries, by order / of the General Assembly. / collected and edited / by / Walter Clark, / chief justice of the supreme court of North Carolina. / vol. xxii. / miscellaneous / — / Nash Brothers, / book and job printers, / Goldsboro, N. C. / 1907. /

Collation: title, 1 l.; prefatory notes, iii-vii; state records, 1-1049. Total, 1056.

The / state records / of / North Carolina. / published under the supervision of the trus- / tees of the public libraries, by order / of the General Assembly. / collected and edited / by / Walter Clark, / chief justice of the supreme court of N. C. / vol. xxiii. / laws 1715-1776. / — / Nash Brothers, / book and job printers, / Goldsboro, N. C. / 1904. /

Collation: title, 1 l.; prefatory notes, 1 l.; laws, 1-1000. Total, 1003.

Of this edition, pp. 1-96 are printed from the ms. revisal of 1715 in the State Library; pp. 1-386 cover the field represented in Swann's Revisal of 1752; pp. 1-930 that of the Davis Revisal of 1773; pp. 977-1000 give the constitution and ordinances of 1776.

Chronologically arranged, except that the private laws in this edition are all transferred from their chronological place and printed together in vol. 25.

The / state records / of / North Carolina. / published under the supervision of the trus- / tees of the public libraries, by order / of the General Assembly. / collected and edited / by / Walter Clark, / chief justice of the

supreme court of North Carolina. / vol. xxiv / laws 1777-1788 / — / Nash Brothers, / book and job printers / Goldsboro, N. C. / 1905. /

Collation: title, 1 l.; prefatory notes, iii-iv; laws, 1-994. Total, 998.

The / state records / of / North Carolina. / published under the supervision of the trus- / tees of the public libraries, by order / of the General Assembly. / collected and edited / by / Walter Clark, / chief justice of the supreme court of North Carolina. / vol. xxv / laws 1789-1790 / and supplement / omitted laws 1669-1783. / — / with index / to / vols. xxiii, xxiv and xxv. / — / Nash Brothers, / book and job printers, / Goldsboro, N. C. / 1906. /

Collation: title, 1 l.; prefatory notes, iii-vi; laws, 1-519+519a-519f+520-525; captions, 526-645; index by Stephen B. Weeks, 647-741. Total, 753.

The / state records / of / North Carolina. / published under the supervision of the trus- / tees of the public libraries, by order / of the General Assembly. / collected and edited / by / Walter Clark, / chief justice of the supreme court of N. C. / — / vol. xxvi. / census 1790. / — / names of heads of families. / — / Nash Brothers. / book and job printers, / Goldsboro, N. C. / 1905. /

Collation: title, 1 l.; prefatory notes, iii-iv; index to census by Stephen B. Weeks, 1-239+239a-239c; census, 239-1313. Total, 1321.

Index / to the / Colonial and State Records / of / North Carolina, / covering volumes i-xxv. / published under the supervision of the trus- / tees of the public libraries, by order / of the General Assembly. / — / compiled and edited / by / Stephen B. Weeks. / volume i. / A-E / — / Goldsboro, N. C. / Nash Bros., book and commercial printers. / 1909. /

Collation: title, 1 l.; pref., 1 l.; Index, A-E, 1-619. Total, 623.
Labeled on back as Colonial and State Records of North Carolina, vol. xxvii (corrected from xxviii).

Index / to the / Colonial and State Records / of / North Carolina, / covering volumes i-xxv. / published under the supervision of the trus- / tees of the public libraries, by order / of the General Assembly. / — / compiled and edited / by / Stephen B. Weeks. / volume ii. / F-L / — / Charlotte, N. C. / The Observer Printing House, Inc., Manufacturing Printers / 1910 /

Collation: title, 1 l.; Index, F-L, 1-513. Total, 515.
Labeled on back as vol. xxviii (corrected from xxix).

Index / to the / Colonial and State Records / of / North Carolina, / covering volumes i-xxv. / published under the supervision of the trus- / tees of the public libraries, by order / of the General Assembly. / — / compiled and edited / by / Stephen B. Weeks. / volume iii. / M-R / — / Charlotte, N. C. / The Observer Printing House, Inc., Manufacturing Printers / 1911 /

Collation: title, 1 l.; Index, M-R, 1-480. Total, 482.
Labeled on back as vol. xxix.

Index / to the / Colonial and State Records / of / North Carolina, / covering volumes i-xxv. / published under the supervision of the trus- / tees of the public libraries, by order / of the General Assembly. / — / with an / Historical Review / compiled and edited / by / Stephen B. Weeks. / volume iv. / S-Z / — / Raleigh / E. M. Uzzell & Co., Printers and Binders / 1914 /

Collation: t., 1 l.; pref., iii-vi; Index, S-Z, 1-439+(1). Historical Review, t., 1 l.; conts., iii-vii; text, 1-169. Total, 622.
Labeled on back as vol. xxx.

Total number of pages in 10 volumes of Colonial Records (1 unpaged folding table)	10,982
Total number of pages in 16 volumes of State Records (2 unpaged maps)	15,616
Total number of pages in 4 volumes of Index	2,242
Divided as to character of materials as follows:	
1. Preliminary pages and prefatory notes to Colonial Records	359
Same for State Records	136
Same for Index	190
Total preliminary and prefatory material	685
2. Colonial material, 1629-1776:	
In Colonial Records	10,623
In State Records, vol. 11	305
In State Records, vol. 22, miscellaneous, about	338
In State Records, vol. 23, laws	976
In State Records, vol. 25, laws	409
Total colonial material printed	12,651
3. State material, 1776-1790:	
In State Records, about	12,994
4. Captions and Indexes:	
Captions to Laws, 1669-1790, vol. 25	121
Index to Laws, 1669-1790 (included in the general Index), vol. 25	95
Index to Census, 1790, vol. 26 (not included in general Index)	242
Index to Colonial and State Records, vols. 1 to 25, in 4 vols.	2,052
Total Captions and Indexes	2,510
Total pages in the 30 volumes of Colonial and State Records and Indexes	28,840

The bibliographer will be interested to know also that the Prefatory Notes to the Colonial Series were reprinted (not published) separately as follows:

Prefatory notes / to the / Colonial Records / of / North Carolina / by / William L. Saunders / secretary of state / vols. 1 to 10 / Raleigh / Josephus Daniels, printer to the state / 1887 /

Collation: Q (29 x 19 cm.). title, c. on v., 1 l.; 1 l. blank; pref., 3-8; prefatory notes, 9-357. The original pagination in roman letters, not consecutive, is retained at the top; consecutive arabic numerals are given at the bottom, except to the notes from vols. 5, 6, 7, 8, pp. 95 to 272 inclusive, numerals begin again with the notes to vol. 9, p. 273, and run to the end. There seems to have been no change in the text.

The Prefatory Notes to the State Records were not reprinted.

The Historical Review of the series, printed at the end of volume 4 of the Index, was reprinted without change of title or pagination in an edition of 100 copies.

II. ANALYSIS OF THE MATERIALS PRINTED.

It is not to be presumed that the average man will use these Records to while away minutes that might otherwise hang heavy on his hands. They are not intended to take the place of light reading and will never be rivals of the works of the masters of romance; they must always have serious attention, and yet the casual student, even the man in the street if he be serious minded for the time, may find much material of infinitely more interest than mere fiction, and by following out a few main topics may get a fair idea of a given period. Should such a reader desire, for instance, to trace out the leading events in the seventeenth century colony of Albemarle, let him follow out with patience the main references under George Durant, the Proprietors and their Fundamental Constitutions, John Culpepper and the Culpepper Rebellion, Seth Sothel and his impeachment, and he will begin to understand why the people of Albemarle were always restless under any government imposed from without and soon won for themselves the reputation of being the freest of the free.

In the same way, if he is interested in the early eighteenth century the titles Cary Rebellion, Tuscarora War, surrender of Carolina and the names of Edward Moseley and George Burrington will give him a good idea of the gradual growth of that political liberty which broadens down from precedent to precedent.

During the period of royal rule he will find the struggle against prestige and power carried on in some of its phases under such headings as Land patents, Quit rents, Taxes, the quarrel of the northern counties over Representation, the French and Indian war, and in those forerunners of the Revolution, the Stamp Act and the Regulation.

Indeed, almost every page of these volumes bristles with the doctrine of political liberty, and notwithstanding the fact that the eighteenth century was one full of political philosophy, the careful student will note that just as evolution proceeded at a more rapid rate among the Greek colonists of Magna Græcia than it did in the mother cities, so English liberty had its first great unfolding in the American colonies and not in the British Isles.

As each fact and each name is entered in detail in this Index under its own proper heading and also under the general heading to which it belongs, it is not thought desirable to do more than call attention to some of the broader fields or classes of materials here printed according to the phases of historical knowledge which they mainly represent.

A. Organic Law.

As might naturally be expected, these materials deal most of all with the governmental and political functions of life. The early settlers of Carolina went into the wilderness perhaps mainly for economic reasons. But wealth was to be obtained by deeds, not words; hence the economic life of the colony has to be built up from fragments just as scientists have restored the plesiosaurus and the ichthyosaurus from a few scattered bones. But along with the economic motive was another hardly less dominant. This was the growing feeling for constitutional and personal liberty, and in this respect hardly more could be asked by the student than is here given. The contributions to the organic law include:

Heath's Patent of 1629, I. 5.

The Charters of 1663 and 1665, I. 20 and 102.

The Declaration and Proposals of the Proprietors in 1663 and their Agreement of 1665, I. 75 and 93.

The Great Deed of Grant which was regarded by the colonists for three-quarters of a century as the very palladium of their liberties, III. 292.

The Fundamental Constitutions of John Locke:
First edition in 1669, I. 181 and XXV. 123.
Last edition in 1698, II. 852.

The sale of seven-eighths of Carolina to the King in 1728-29, II. 384.

The grant of one-eighth of Carolina to Lord John Carteret in 1744, IV. 655.

Instructions to the proprietary and royal governors, 1663-1775, vols. I to X.

State Constitution of 1776, X. 1006 and XXIII. 980.

Constitution of the State of Franklin, the abortive daughter of North Carolina, 1784-88, XXII. 661.

To this list may be properly added Governor Tryon's Polity of North Carolina, VII. 472, the best contemporaneous discussion of the actual government of the colony.

B. Statute Law.

The whole body of the statute law of the colony and state, so far as it has been preserved or is available, 1669-1790, including the Revisal of 1715 now printed for the first time, is found in volumes XXIII, XXIV and XXV.

To this edition of the session laws and first revisal is added a chronological list of Captions of North Carolina laws, 1669-1790, with page references to the particular volumes and a separate Index for the three volumes of laws.

C. Journals of the Assembly, etc.

Perhaps the most important of any one class of documents are the various papers dealing with the legislative body, whether called Minutes, Proceedings, or Journals. These include:

a. Journals of the Governor's Council.

b. Journals of the Assembly proper, both upper and lower houses in colonial times.

c. Journals of the two Provincial Conventions, 1774-75.

d. Journals of the three Provincial Congresses, 1775-76.

e. Journals of the senate and house of Assembly of the free state of North Carolina, 1777-90.

f. Journals of the Conventions of 1788 and 1789 which discussed and adopted the Federal Constitution.

g. Various extracts from the laws and legislative proceedings of Virginia, South Carolina, Transylvania, and Franklin which concern North Carolina.

A detailed chronological list of the North Carolina material here printed is added for the convenience of the investigator:

a. Journals of the Governor's Council:

In the early days the Council was made up of the deputies of the Lords Proprietors, who served as advisers to the governor. With the induction of Burrington into office, January 15, 1723-24, these advisers ceased to be called deputies, and were styled simply "Members of the council." They rendered a twofold service, first as advisers to the governor, and second, during the sitting of the legislature, as an upper house. Their proceedings in the latter capacity will be found under the head of Journals of the Assembly proper.

Deputies:

May 9, 1712, **1**. 841-44.
June 2, 1712, **1**. 851-2.
July 4, 1712, **1**. 855-7.
July 31, 1712, **1**. 864-6.
Aug. 9, 1712, **1**. 867.
Sept. 12, 1712, **1**. 869-72.
Jan. 17, 1712/13, **2**. 1-3.
Apr. 14, 1713, **2**. 32-5.
May 8, 1713, **2**. 41-4.
June 25, 1713, **2**. 51-2.
Aug. 7, 1713, **2**. 55-7.
Aug. 19, 1713, **2**. 58-9.
Oct. 22, 1713, **2**. 64-5.
Nov. 4, 1713, **2**. 65-9.
Nov. 5, 1713, **2**. 69-73.
Jan. 23, 1713/14, **2**. 117-18.

Apr. 7, 1714, **2**. 123-5.
May 28, 1714, **2**. 129-30.
Aug. 10, 1714, **2**. 139-42.
Nov. 6, 1714, **2**. 146-7.
Dec. 17, 1714, **2**. 147.
Feb. 11, 1714/15, **2**. 168-70.
Mar. 10, 1715, **2**. 170-3.
May 25, 1715, **2**. 180-1.
June 7, 1715, **2**. 181-2.
July 5, 1715, **2**. 182-4.
Sept. 13, 1715, **2**. 199-200.
Nov. 4, 1715, **2**. 204-5.
Jan. 21, 1715/16, **2**. 216-18.
Mar. 29, 1716, **2**. 226-7.
Aug. 3-4, 1716, **2**. 239-44.
Aug. 23, 1716, **2**. 246-7.
Nov. 15, 1716, **2**. 249-50.
Mar. 28, 1717, **2**. 275.
June 4, 1717, **2**. 282-3.
Aug. 1, 1717, **2**. 289-91.
Nov. 22, 1717, **2**. 296-7.
Mar. 29, 1718, **2**. 301-3.
July 31, 1718, **2**. 307-9.
Oct. 30, 1718, **2**. 311-13.
Nov. 4, 1718, **2**. 313-14.
Nov. 11, 1718, **2**. 314-18.
Dec. 30, 1718, **2**. 321-324.
Apr. 3, 1719, **2**. 328-31.
May 27, 1719, **2**. 341-9.
Nov. 10, 1719, **2**. 351-7.
Feb. 22, 1719/20, **2**. 374-5.
Apr. 4, 1720, **2**. 377-80.
Aug. 4, 1720, **2**. 389-92.
Dec. 3, 1720, **2**. 396-8.
Mar. 30, 1721, **2**. 425-9.
Oct. 18, 1721, **2**. 432.
Mar. 30, 1722, **2**. 449-50.
Apr. 4, 1722, **2**. 450-7.
June 14, 1722, **2**. 457-8.
Aug. 8, 1722, **2**. 459.
Sept. 7, 1722, **2**. 459-60.
Oct. 22, 1722, **2**. 460-2.
Oct. 29, 1722, **2**. 462-3.
Apr. 5, 1722, **2**. 472-3.
Mar. 28, 1723, **2**. 482-5.
Apr. 1, 1723, **2**. 485-9.
Aug. 2, 1723, **2**. 491-6.
Nov. 7, 1723, **2**. 500-2.
Nov. 16, 1723, **2**. 503.
Nov. 21, 1723, **2**. 503-7.

COUNCIL:

Jan. 22-23, 1723/24, **2**. 516-18.
Apr. 2, 1724, **2**. 520-1.
Apr. 9, 1724, **2**. 522-7.
Apr. 15-17, 1724, **2**. 527-30.
July .., 1724, **2**. 532.
July 31, 1724, **2**. 533-4.
Oct. 24, 1724, **2**. 535.
Oct. 28-31, 1724, **2**. 535-41.
Nov. 7, 1724, **2**. 541-42.
Apr. 3, 1725, **2**. 562-5.
May 28, 1725, **2**. 565-6.
July 17, 1725, **2**. 566-8.
July 20, 1725, **2**. 568.
July 29, 1725, **2**. 568-9.
Aug. 3, 1725, **2**. 569-70.
Aug. 24, 1725, **2**. 570-1.
Oct. 5, 1725, **2**. 571-2.
Oct. 28, 1725, **2**. 572-3.
Oct. 31, 1725, **2**. 573-5.
Jan. 19, 1726, **2**. 603-4.
Mar. 31-Apr. 14, 1726, **2**. 606-8.
July 28-Nov. 1, 1726, **2**. 637-45.
Apr. 3-Nov. 8, 1727, **2**. 673-83.
Feb. 21, 1728, **2**. 724-5.
Apr. 28, 1728, **2**. 730-49.
May 27, 1728, **2**. 764-8.
Aug. 5, 1728, **2**. 770-3.
Nov. 3, 1728, **2**. 817-18.
May 22, 1731, **3**. 168-75.
Feb. 25, 1730/31-Nov. 23, 1731, **3**. 211-257.
Jan. 17-Nov. 8, 1731/2, **3**. 398-429, 519-20.
Mar. 29, 1733, **3**. 536-39.
Apr. 15, 1734, **3**. 633.
Nov. 2, 1734, **4**. 1-5.
Jan. 15-Dec. 16, 1735, **4**. 31-75.
Feb. 17-Oct. 14, 1736, **4**. 216-25.
Mar. 1-Nov. 21, 1737, **4**. 271-84.
Feb. 15-Dec. 24, 1738, **4**. 328-37.
Feb. 20-Mar. 23, 1739, **4**. 342-355.
Feb. 5-Aug. 24, 1740, **4**. 439-62.
Mar. 6-Oct. 2, 1741, **4**. 587-603.
May 4-7, 1742, **4**. 615-620.
Mar. 15-Nov. 18, 1743, **4**. 625-651.
Feb. 25-Dec. 4, 1744, **4**. 674-714.
Apr. 4-20, 1745, **4**. 759-770.
Mar. 12-June 28, 1746, **4**. 798-814.
Mar. 5-24, 1747, **4**. 850-55.
Mar. 25-Oct. 15, 1748, **4**. 884-98.

Apr. 3-Oct. 18, 1749, **4**. 945-971.
Mar. 28-Oct. 2, 1750, **4**. 1032-51.
Mar. 26-Oct. 12, 1751, **4**. 1237-55.
Feb. 1-Nov. 17, 1753, **5**. 29-38.
Feb. 19-Sept. 27, 1754, **5**. 172-177.
Mar. 25-Oct. 13, 1755, **5**. 488-494.
Mar. 12-Oct. 23, 1756, **5**. 653-57.
May 17-Dec. 15, 1757, **5**. 810-29.
Mar. 8-Dec. 23, 1758, **5**. 990-98.
Mar. 1-Dec. 22, 1759, **6**. 75-85.
Jan. 2-Dec. 6, 1760, **6**. 330-345.
Feb. 7-Dec. 8, 1761, **6**. 628-38.
Apr. 13-Dec. 31, 1762, **6**. 758-799.
Jan. 1-Dec. 24, 1763, **6**. 1007-1020.
Feb. 2-Nov. 28, 1764, **6**. 1064-89.
Jan. 25, 1765, **6**. 1322.
May 17-18, 1765, **7**. 37-9.
Apr. 3, 1765, **7**. 105.
Oct. 24-30, 1765, **7**. 118-120.
Dec. 20-21, 1765, **7**. 133-134.
June — 28, 1766, **7**. 225-32.
Nov. 3-Dec. 1, 1766, **7**. 271-79.
Apr. 22-24, 1767, **7**. 449-54.
July 11-12, 1767, **7**. 501-506.
Oct. 14-27, 1767, **7**. 523-29.
Dec. 14, 1767, **7**. 532-35.
Jan. 13-15, 1768, **7**. 672-76.
Mar. 1, 1768, **7**. 690.
Mar. 29, 1768, **7**. 702.
Apr. 27, 1768, **7**. 720-22.
Apr. 29, 1768, **7**. 729-30.
June 20, 1768, **7**. 792-94.
Oct. 1, 1768, **7**. 850-1.
Nov. 24, 1768, **7**. 870-1.
Nov. 29, 1768, **7**. 872-74.
Dec. 5, 1768, **7**. 875-6.
Dec. 23, 1768, **7**. 883-4.
Apr. 14, 1769, **8**. 25-7.
May 4-6, 1769, **8**. 36-8.
Nov. 4-10, 1769, **8**. 148-50.
Dec. 15-18, 1769, **8**. 160-164.
Apr. 9, 1770, **8**. 191-93.
May 12, 1770, **8**. 199-201.
Oct. 16-18, 1770, **8**. 249-55.
Nov. 19, 1770, **8**. 258-60.
Dec. 4, 1770, **8**. 262.
Dec. 20, 1770, **8**. 268-70.
Dec. 31, 1770, **8**. 272.
Jan. 2-12, 1771, **8**. 480-1.
Jan. 19-28, 1771, **8**. 490-3.
Feb. 7, 1771, **8**. 497-8.
Feb. 23-27, 1771, **8**. 499-502.
Mar. 18-19, 1771, **8**. 536-40.
Apr. 17-19, 1771, **8**. 549-51.
June 29, 1771, **8**. 623-26.
July 1, 1771, **9**. 3-4.
Aug. 12, 1771, **9**. 15-16.
Aug. 23, 1771, **9**. 24.
Aug. 30, 1771, **9**. 27-9.
Nov. 18, 1771, **9**. 52-3.
Nov. 21-27, 1771, **9**. 55-7.
Dec. 6, 1771, **9**. 66.
Dec. 21, 1771, **9**. 71.
Dec. 24, 1771, **9**. 75.
Dec. 30, 1771, **9**. 78.
Jan. 25-Oct. 12, 1772, **9**. 228-30, 273-4, 293-5, 325, 327-8, 346.
Mar. 9-Dec. 22, 1773, **9**. 594-6, 601-7, 644, 666-7, 788-91.
Mar. 28-Oct. 8, 1774, **9**. 954-5, 981-3, 1018-20, 1027-30, 1041, 1078-9.
Mar. 6-July 18, 1775, **9**. 1144-46, 1168-9, 1177-8, 1207, 1211, 1215-16, 1221, 1229, **10**. 106-7.

b. Journals of the Assembly, Upper and Lower Houses, Down to 1776:

Nov. 17, 1715-Jan. 19, 1716: Both houses, **3**. 180-189.
Oct. 2-29, 1722: Both houses, **2**. 462-3.
Apr. 2-17, 1724: House, **2**. 528-9.
Nov. 1-2, 1725: House, **2**. 275-8.
Apr. 5-13, 1726: House, **2**. 608-24.
Nov., 1729: Both houses, **3**. 175-9.
Apr. 13-May 17, 1731:
Council, **3**. 257-84.
House, **3**. 285-325.
July 3-18, 1733:
Council, **3**. 540-61.
House, **3**. 561-611.
Nov. 3-8, 1733: House, **3**. 612-22.
Nov. 6-13, 1734: House, **3**. 634-43.
Jan. 15-Mar. 1, 1735:
Council, **4**. 75-114.
House, **4**. 115-155.
Sept. 21-Oct. 12, 1736: Council, **4**. 225-241.
Feb. 6-Mar. 6, 1739:
Council, **4**. 355-379.
House, **4**. 382-408.

Mar. 7-8, 1739:
Council, **4**. 380-2.
House, **4**. 408-414.
Nov. 15, 1739: House, **4**. 414.
Feb. 5-27, 1740:
Council, **4**. 470-92.
House, **4**. 492-534.
July 31-Aug. 22, 1740:
Council, **4**. 534-51.
House, **4**. 552-75.
Sept. 21, 1741: Council, **4**. 597.
July 20-27, 1743: House, **4**. 651-55.
Feb. 23-Mar. 8, 1744:
Council, **4**. 714-719.
House, **4**. 719-32.
Nov. 15-Dec. 4, 1744: House, **4**. 732-52.
Apr. 8-20, 1745: House, **4**. 770-91.
June 12-28, 1746: House, **4**. 814-34.
Nov. 20-Dec. 6, 1746:
Council, **4**. 834-38.
House, **4**. 838-43.
Feb. 25-Nov. 7, 1747: House, **4**. 855-62.
Oct. 2-10, 1747: House, **4**. 863-68.
Mar. 18-Apr. 6, 1748: Council, **4**. 898-917.
Mar. 31-Apr. 14, 1749:
Council, **4**. 971.
House, **4**. 984-999.
Sept. 26-Oct. 18, 1749:
Council, **4**. 1000-1010.
House, **4**. 1010-1027.
Mar. 28-Apr. 9, 1750: Council, **4**. 1051-64.
July 5-10, 1750:
Council, **4**. 1064-68.
House, **4**. 1068-73.
Sept. 24-Oct. 12, 1751:
Council, **4**. 1256-74.
House, **4**. 1274-1300.
Mar. 31-Apr. 15, 1752:
Council, **4**. 1317-29.
House, **4**. 1329-48.
Mar. 28-Apr. 12, 1753:
Council, **5**. 38-53.
House, **5**. 23-4, 53-77.
Feb. 19-Mar. 9, 1754:
Council, **5**. 177-191.
House, **5**. 191-212.
Dec. 12-Jan. 15, 1754-55:
Council, **5**. 212-231, 262-281.
House, **5**. 231-262, 281-312.
Sept. 25-Oct. 15, 1755:
Council, **5**. 495-520.
House, **5**. 520-559.
Sept. 30-Oct. 26, 1756:
Council, **5**. 658-688.
House, **5**. 688-738.
May 16-28, 1757:
Council, **5**. 829-43.
House, **5**. 843-68.
Nov. 21-Dec. 14, 1757:
Council, **5**. 793-805, 868-89.
House, **5**. 889-925.
Apr. 28-May 4, 1758: House, **5**. 998-1012.
Nov. 23-Dec. 23, 1758:
Council, **5**. 965-986, 1012-1039.
House, **5**. 1039-1101.
May 8-18, 1759:
Council, **6**. 85-95.
House, **6**. 95-114.
Nov. 23-Dec. 31, 1759, Jan. 1-9, 1760:
Council, **6**. 115-132, 172-184.
House, **6**. 132-71, 184-200, 200-15.
Apr. 24-May 23, 1760:
Council, **6**. 345-62.
House, **6**. 362-420.
May 26-27, 1760:
Council, **6**. 420-27.
House, **6**. 427-38.
June 30-July 14, 1760: Council, **6**. 438-46.
Nov. 5-Dec. 3, 1760:
Council, **6**. 446-69.
House, **6**. 469-511.
Dec. 5-6, 1760:
Council, **6**. 511-13.
House, **6**. 513-20.
Mar. 31-Apr. 23, 1761:
Council, **6**. 638-661.
House, **6**. 661-697.
Apr. 13-29, 1762: House, **6**. 800-837.
Nov. 3-Dec. 11, 1762:
Council, **6**. 838-892.
House, **6**. 738-744, 893-965.
Feb. 3-Mar. 10, 1764:
Council, **6**. 1089-1150.
House, **6**. 1150-1218.

Oct. 25-Nov. 28, 1764:
Council, **6**. 1218-57.
House, **6**. 1257-1318.
May 3-18, 1765:
Council, **7**. 41-61.
House, **7**. 61-88.
Nov. 3-Dec. 2, 1766:
Council, **7**. 292-341.
House, **7**. 342-423.
Dec. 5-31, 1767; Jan. 1-15, 1768:
Council, **7**. 549-65, 595-624.
House, **7**. 565-594, 624-670.
Nov. 7-Dec. 7, 1768:
Council, **7**. 890-924.
House, **7**. 924-86.
Oct. 23-Nov. 6, 1769:
Council, **8**. 86-105.
House, **8**. 105-148.
Dec. 5, 1770-Jan. 26, 1771:
Council, **8**. 282-302, 347-384.
House, **8**. 302-346, 385-479, 479*a*, 479*b*.
Nov. 19-Dec. 23, 1771:
Council, **9**. 101-136.
House, **9**. 136-226.
Jan. 25-Mar. 6, 1773:
Council, **9**. 376-447.
House, **9**. 447-591.
Dec. 4-21, 1773:
Council, **9**. 706-733.
House, **9**. 733-788.
Mar. 2-25, 1774:
Council, **9**. 831-874.
House, **9**. 874-953.
Apr. 2, 1775: Council, **9**. 1177-8.
Apr. 4-8, 1775: House, **9**. 1178-1205.

c. Provincial Conventions, 1774-1775:

Newbern, Aug. 25-27, 1774: **9**. 1041-49.
Newbern, Apr. 3-7, 1775: **9**. 1178-85.

d. Provincial Congresses, 1775-1776:

Hillsboro, Aug. 20-Sept. 10, 1775: **10**. 164-220.
Halifax, Apr. 4-May 14, 1776: **10**. 499-590.
Halifax, Nov. 12-Dec. 23, 1776: **10**. 913-1013.

e. Journals of State Legislature, 1777-1790:

Apr. 7-May 9, 1777: Senate, **12**. 1-113.
Nov. 15-Dec. 24, 1777:
Senate, **12**. 114-264.
House, **12**. 265-452.
Apr. 14-May 2, 1778:
Senate, **12**. 549-654.
House, **12**. 655-764; **13**. 399-401.
Aug. 8-19, 1778:
Senate, **12**. 764-815.
House, **12**. 816-880.
Jan. 19-Feb. 13, 1779:
Senate, **13**. 532-624.
House, **13**. 625-734+734*a*-734*o*.
May 3-15, 1779:
Senate, **13**. 735-783.
House, **13**. 784-824; **18**. 803-825.
Oct. 18-Nov. 10 (by error stated as 20 on p. 990), 1779:
Senate, **13**. 825-912.
House, **13**. 913-1000.
Jan. 27-Feb. 14, 1781 (Halifax):
Senate, **17**. 635-714.
House, **17**. 715-793.
June 23-July 14, 1781 (Wake C. H.):
Senate, **17**. 794-876 (part of proceedings of July 14 lost).
House, **17**. 877-978.
Apr. 15-May 18, 1782 (Hillsboro):
Senate, **19**. 1-128.
House, **16**. 1-177.
Apr. 18-May 17, 1783 (Hillsboro):
Senate, **19**. 129-232.
House, **19**. 233-399.
Apr. 19 (?)-June 3, 1784: House, **19**. 489-716 (first page missing).
Oct. 22-Nov. 26, 1784 (Newbern):
Senate, **19**. 400-488 (commences Oct. 25).
House, **19**. 717-836.
Nov. 19-Dec. 29, 1785 (Newbern):
Senate, **20**. 1-117.
House, **17**. 264-426.
Nov. 18, 1786-Jan. 6, 1787 (Fayetteville):
Senate, **18**. 1-225 (Senate convened Nov. 20, missing from Jan. 4 on).
House, **18**. 226-486.

Nov. 19-Dec. 22, 1787 (Tarboro):
Senate, **20**. 301-474 (incomplete; lost after Dec. 21).
House, **20**. 119-300.
Nov. 3-Dec. 6, 1788 (Fayetteville):
Senate, **20**. 475-599; **22**. 54.
House, **21**. 1-192.
Nov. 2-Dec. 22, 1789 (Fayetteville):
Senate, **21**. 577-728 (proceedings Nov. 2, 3, and 4 missing).
House, **21**. 193-436.
Nov. 1-Dec. 15, 1790 (Fayetteville):
Senate, **21**. 729-870.
House, **21**. 871-1083 (incomplete).

f. Journals of Federal Conventions:

Convention of 1788: **22**. 1-35.
Convention of 1789: **22**. 36-53.

D. Executive and Judicial Records.

Of executive records, corresponding to modern government reports, the supply varies both in quality and quantity from time to time.

For the colonial period this class of documents is represented almost solely by the letters which the governors sent to the authorities at home. Not until the days of Burrington do these letters become numerous and important. But that worthy was possessed of a quick and discerning eye, a scintillating wit, a choleric temper that spared none, and a ready pen that was at its best when describing the liberty loving and rebellious people over whom he was appointed to rule, for these people were "subtle and crafty to admiration," they "behaved insolently to their governors," some they imprisoned, others they drove out of the province, and "all the governors that were ever in this province lived in fear of the people (except myself) and dreaded their assemblys."

The letters and reports of Burrington, Everard, Johnston, Dobbs, and Martin come to us from the British Public Record Office and are possibly incomplete. We have been so fortunate, however, as to find the official letter books of Governor Tryon, and his official correspondence is therefore presumably complete. For the revolutionary and post-revolutionary periods we have the official correspondence—the executive letter books—of Govs. Caswell, Nash, Burke, Martin, and Johnston, but they are not in all cases complete. As all of this material is indexed under both the name of the writer and of the receiver and under the subject treated, its biographical and historical exploitation should be easy.

Another class of materials, mainly executive in character, but whose authors usurped and exercised quasi legislative and judicial powers as well, are the records of the local and county organizations which, during the transition period in 1775 and 1776, when the British organization was toppling to its ruin, styling themselves Safety Committees, stepped into the breach and administered a rude but effective justice, based not on statute law, but on the higher law—the *salus publica*—the law

of self-preservation. What these organizations were to local communities, the Provincial Council of 1775-76 and the Council of Safety of 1776 were to the State at large. Being composed of patriots and avoiding both the Scylla of anarchy and the Charybdis of tyranny, they steered the ship of state into the safe harbor of constitutional government. But in form they were at best extra legal, and no wonder the conservative Tories denounced them as mere mob rule.

When we come to consider the Judiciary, the third phase of American constitutional government, we find in the colonial period little material save the reasons given by the Board of Trade from time to time why certain laws should be disallowed. The judiciary in the American sense had not been evolved as yet. But a case came up before the North Carolina superior court in 1786 which caused the judges to take such a stand that North Carolina is placed along with New Jersey and Rhode Island as a leader in the matter of judicial review of the acts of assembly.[1] The facts are as follows:

In 1785 the Assembly passed an act (chap. 7) to secure and quiet in possession all persons who had purchased confiscated property under the laws of the state. The act required the courts, in all cases where the defendant made affidavit that he held the property under sale from a commissioner of confiscated property, to dismiss the suit on motion. This principle came up in the case of Bayard v. Singleton at May term, 1786, and is reported in 1 Martin, 42-48. The case drew out long constitutional arguments from both Bench and Bar, and Mr. Justice Ashe has given us his remarks on the principles involved which led him the next year, when the case came up for final consideration, to vote to refuse the motion to dismiss:

"I on my part . . . observed that at the time of our separation from Great Britain, we were thrown into a similar situation with a set of people shipwrecked and cast on a marooned island, without laws, without magistrates, without government or any legal authority. That being thus circumstanced, the people of this country with a general union of sentiment by their delegates, met in congress and formed that system or those fundamental principles comprised in the constitution, dividing the powers of government into separate and distinct branches, to wit: the legislative, the judicial, and the executive, and assigning to each several and distinct powers, and prescribing their several limits and boundaries. . . . If my opinion of our constitution is an error, I fear it is an incurable one, for I had the honor to assist in the forming it, and confess I so designed it, and I believe every other gentleman concerned did also."

[1]See *The Nation*, Oct. 12, 1893.

After considering the matter, the judges, Ashe, Spencer, and Williams, denied the motion to dismiss and put the case over till the next year. This refusal to immediately dismiss the case in face of the act of 1785 led to no little commotion in legal circles. Opposition to the judges was headed by John Hay, William Hooper, Archibald Maclaine, and others who undertook for this and other misdemeanors to write them off the Bench. They failed, and when the case came up in November, 1787, for final settlement the act of assembly was formally declared unconstitutional and void.

On the other hand, Iredell, who had been on the Bench and was now counsel for the plaintiff, supported the views of the judges and published a letter in the Newbern paper vindicating the judiciary. A year later he wrote a long letter to Richard Dobbs Spaight in which the subject is again reviewed.[1] As Iredell became an associate justice of the Supreme Court of the United States in 1790 and served till his death in 1799, it is thought his opinions may have influenced Marshall in the celebrated case of Marbury v. Madison in 1803, which may be counted as the beginning of that long line of Federal decisions which have resulted in making the Supreme Court of the United States, or it may be a single justice of that court, the supreme arbiter of the destinies of the Nation. Willie Jones was wise when he based his objection to the Federal Constitution on his fear of the Federal judiciary.

It is interesting to note also, that this same principle was evoked against a Federal court within a year after the state had been admitted into the Union, for in 1790 the state superior court then sitting in Edenton refused to obey a writ of *certiorari* issued by a Federal judge removing a case from the state to the Federal court, on the ground that the mandate of the Federal judge was unconstitutional. The assembly by resolution commended and approved their position.

E. Military Affairs.

On this subject, as is usually the case, material is more abundant than on many other topics. For the struggle with the Tuscaroras we have contemporaneous reports and documents, official and private, from both North Carolina and Virginia, including the Pollock and Spotswood letters, the reports of Moore and Barnwell and the illuminating narrative of DeGraffenried which explains a phase of the closing days of the war that was long a mystery, and clears the reputation of Barnwell, hitherto clouded by the jealous silence of Pollock.

[1]See McRee's Iredell, II. 145-149 and 172-176.

There are long lists of militia for the Spanish Alarm, and for the French and Indian war we have the correspondence of Governor Dobbs, Governor Dinwiddie of Virginia, Colonel Innes, General Waddell, and the legislative proceedings.

The Stamp Act proceedings give us many documents full of the fire of budding patriotism and make us marvel at the boldness of those leaders of the Cape Fear who, not as a headless, irresponsible mob, but after formal organization under civil authority of their own appointment, with the military subordinate to an elected directorate at whose head was the speaker of the assembly, stood with arms in their hands and demanded, and enforced their demands, that British ships of war release to them the trading vessels that had violated the stamp regulations.

In the matter of the Regulation movement much new material, including miscellaneous papers, orders, accounts, bills, receipts, etc., long preserved in the Federal archives and only recently recovered by the State, is now published for the first time. We have also the addresses of the leaders to their followers, their petition to Tryon for redress of grievances, which was often promised, but never given, Tryon's and Waddell's order books, together with long lists of the regulators who came in after the battle was over and took the oath of submission to the government.

By the irony of fate, that eternity of infamy which Lord Acton was never weary of saying it was the province of history to inflict on wrong is clearly awarded in the case of Thomas Donaldson, sheriff of Orange, who on June 19, 1771, presented his bill to the colonial government: "To Hanging 6 Men at Hillsborough Court of Oyer, etc.,—£5 each"; for by this action alone he has handed his name down to posterity and has branded himself as the associate, if not the tool, of tyrants. And equally curious is it that all research has as yet failed to give us the names of all of these six protomartyrs of American liberty! Some one has well said that that country is greatest which produces not the greatest generals and men of action, but the greatest poets and historians. Droysen defined history as the "Know thyself of mankind"; Schiller wrote "Die Weltgeschichte ist das Weltgericht," and Canon Freemantle expressed the same idea in English by saying, "The court of history is the final judgment of mankind." If these estimates of history are true, the heroes of the Cape Fear and the martyrs of the Alamance were not mere actors seeking worldly renown, for in that case they would not have chosen North Carolina as the scene of their activities. Had they

acted out their parts in Massachusetts, how their names and deeds would have been emblazoned on monuments and heralded throughout the Nation in poetry and song!

When we come to the period of the Revolution, besides the Stamp Act proceedings and the various papers connected with the regulation war, the proceedings of the Assembly, the committees of safety, state and local, and many separate lists of soldiers, we have Jacob Turner's Diary, giving the inside of army life and valuable for its information on the condition and management of the North Carolina troops as seen by a subordinate, XII. 453; some few extracts from the journals of Congress, the proceedings of the Board of War and of the Council Extraordinary, the Gates papers, with extracts from those of Sumner, Cornwallis, Washington, and Greene. We have also the proceedings of the governor's council, the council of state, and above all, that vivid and burning human document, the Narrative of Col. David Fanning, the Tory, XXII. 180.

F. Revolutionary Service and Genealogical Materials.

Turning from wars and rumors of wars to closely allied subjects—to genealogical sources—we may be sure that no class of materials in these volumes will be used more industriously than those which promise information on which may be predicated admission to the patriotic societies. Lists of Revolutionary soldiers, both Continentals and militia, may be found as follows (this list was originally prepared by Mr. Marshall DeLancey Haywood and used by him in connection with his work as secretary of various patriotic societies in the state):

a. Military Service:

Continentals or Regulars.—The most complete roster of both officers and privates of the Continental Line (not militia) of North Carolina will be found in XVI. 1002. The chief defect in this roster is that many soldiers are recorded as serving in the Tenth Regiment, who in reality belonged to other commands; hence, when a private is recorded in the Tenth, it is well to observe the name of his captain, and then be guided by the fact whether or not said captain's company was in the Tenth or some other regiment. Another valuable list of Continentals or regulars will be found on the pay list made out shortly after the War and published in XVII. 189. For fragments of Continental rosters consult also X. 517, 520, 619-626, 936, 943, 965; XIII. 504; XV. 718, 749; XVI. 575.

Militia.—For list of field-officers of North Carolina militia who were appointed on September 9, 1775, see X. 204. For list of field-officers of militia who were appointed on April 22, 1776, see X. 530. For fragments of militia rosters, see X. 99-100, 320, 680 (inserted folder), 753-754; XV. 739-740; XVII. 1042, 1054.

Pension Rolls.—In XXII. 55-159, will also be found some pension records.

b. Civil Services:

Provincial Congresses, Legislatures, Etc.—For list of persons serving the State of North Carolina in legislative and other civil capacities from various counties—together with the nine "borough towns" of Bath, Edenton, Brunswick, Wilmington, Newbern, Halifax, Hillsborough, Salisbury, and Campbellton (now Fayetteville)—see as follows:

Members of the Provincial Convention which met at Newbern on August 25, 1774, IX. 1042; members of the Provincial Convention which met at Newbern on April 3, 1775, IX. 1178; members of the Provincial Congress which met at Hillsborough on August 20, 1775, X. 164; members of the Provincial Council and Committees of Safety (not including county committees) elected on September 9, 1775, X. 214-215; members of the Provincial Congress which met at Halifax on April 4, 1776, X. 500; members of the State Committee appointed to procure arms and ammunition for the Continental Army on April 19, 1776, X. 524; members of the Provincial Congress which met at Halifax on November 12, 1776, X. 913.

State senators and members of the house of commons of North Carolina during the Revolution are recorded by counties in Wheeler's History of North Carolina at the end of the sketch of each county. They are also given in the State Records. A search in the latter, while more tedious, is likely to be more accurate.

c. Genealogy.

These Records have already become the great thesaurus for North Carolina genealogy. As there has been little migration into the State since the Revolution, it is safe to say that there is hardly a citizen of the State to-day who will not find recorded somewhere within their pages the names of some of his ancestors. On the other hand, as many of her citizens in the last century—beginning before the Revolution, in fact—sought better economic and social conditions in the newer states, North Carolina is in a very literal and real sense the *vagina gentium* for the

newer states of the old South and Southwest and for what is now the Middle West. Almost every page of these records contains original materials of value to every genealogist in the Southern half of the Union, and as every name is indexed, there should be no difficulty in following the career of any particular individual.

When lists of names are desired, they may be found in various lists of grand and petit jurors (especially in XXV. 185), vestrymen, names of parties brought in as headrights to secure land patents, vols. I, II, and XXIII, and in lists of members of assembly in nearly every volume; in volumes IV, V, and VI come lists of persons asking or receiving land grants and justices of the peace. Volume XXII is particularly rich is such lists. It includes a valuable and hitherto unknown list of citizens who were in arrears with their quit rents, 1729-32; many lists of the colonial militia, 1745-1766, covering practically all the province, pp. 261-399, and including those called out for the Spanish Alarm of 1747-1748; lists of public claimants for the same period, pp. 815-866, and muster rolls of a part of the colonial troops who saw service against the Regulators, pp. 408-500, while volumes VII and VIII give long lists of the Regulators themselves who came in after the battle, took the oath of submission, and then "like the mammoth shook the bolt from their brow and crossed the mountains" to begin the settlement of Tennessee, thus born in what seemed for the time to be the death throes of liberty in the mother colony, VII. 733-737, 808-809, 867, 875, and VIII. 78-80a, 274-275. The Laws printed in volumes XXIII, XXIV, and XXV contain many personal names and represent material of the very highest authority, and volume XXII has some lists of citizens of the Western Country (Tennessee) in 1784-88, pp. 701-703, 707-714. But unquestionably the most important of all these lists of names is the Federal Census for 1790, in volume XXVI, here printed for the first time. This list gives the names of all heads of families by counties, the number of free persons and of slaves in each family. It has its own special Index, in the same volume, pp. 1-239c, which is not contained in the four-volume Index here completed. This census volume may by itself be almost characterized as the Doom's Day Book of North Carolina. It is the first inventory we have of all the free inhabitants of the free State of North Carolina.

G. Miscellaneous.

The scientific student has perhaps already remarked that in character the original materials here reviewed pertain almost entirely to the

political phases of life. He is naturally interested to know what materials are to be found in these volumes relating to the religious, economic, and intellectual life and to social life in the narrower sense. It is to be regretted that to these questions no satisfactory reply can be given. The materials for some phases of social history in the broad sense and for culture history in particular are not superabundant. Not that they are altogether nonexistent, but they are as yet largely inaccessible and hence unavailable.

The documents dealing with the religious life of the colony here printed are relatively few. Most of what we have deal with the Church of England in North Carolina and include most of the laws passed by the colonial assembly for the aid and support of that church; but it is necessary for us to recall that many duties then performed by church wardens are now performed by civil officers. To these laws must be added the very important reports and letters to the Society for the Propagation of the Gospel by missionaries in the province and by the royal governors. Besides these, a few extracts from the vestry book of St. Paul's Church, Edenton, have been printed for the earliest period. On the beginnings of the dissenting churches almost nothing has been printed. This little includes a few early Quaker records and a very few extracts from journals of traveling Friends and Moravians, and when to this meager list we add a few reprints from modern secondary authorities like Benedict for the Baptists, Bernheim and Welker for the German Lutheran churches, Foote for the Presbyterians, and Reichel for the Moravians, the story of religious materials has been told. As a matter of fact, this meager list doubtless represents nearly the sum of the religious sources for the province except for the Quakers and Moravians and a relatively small amount for the Baptists and Methodists. The importance of such of this as was known at the time of the completion of its period seems not to have been appreciated.

For the great and neglected branches of social history like (*a*) economic development as shown in the condition of agriculture, the clearing of lands and building of roads, taxes, slavery, money and currency, trade and commerce, industrial arts, local manufactures, houses, transportation, labor, free as well as slave; (*b*) for the intellectual life as shown in the organization of schools, the printing press and the publication of newspapers, the presence of books and libraries, and for (*c*) social life in the narrower sense, like amusements, social intercourse, parties, dinings, manners and customs, morals, dress, personal adornments, etc., for all these and similar phases of colonial and early state

life, there is unfortunately relatively little material in the Records, and the little that is there has to be painfully separated from the masses of other unrelated materials. It is not yet possible for the social historian in the broadest and best sense of that term to do satisfactory work in the colonial period of North Carolina. Much material suitable and necessary for him is in existence, but is still hidden away in dusty, unused and neglected records in the county courthouses. When these county records have been carefully calendared and the calendars published as the complement of the present series it will then be possible to write the Social History of Colonial North Carolina, and not till then. This should be one of the goals towards which those in authority in the State should now set their standard.

CHAPTER III.

SOURCES STILL UNCOLLECTED.

Considering the great mass of material hitherto unpublished which is presented to the student for the first time in the Colonial and State Records, the question naturally arises if there may yet be other material of the same general character still awaiting discovery and exploitation. It does not require a long use of the Records as printed to discover that such material has existed. Does it still exist, and if so, may it yet be found?

It is probable that much new material will still be found in England, although the search among the papers of the British Public Record offices was done by Mr. W. Noel Sainsbury, who had had experience in similar work through a long period of years prior to his employment by the state of North Carolina. Then he was directed by Judge Clark to cover the field again and to make his work so exhaustive as to remove the necessity of any further examination. The results of this second examination may be seen in Volume XI. And yet documents missed by him have been found already. The interesting letter of William Gale, printed in XXII. 732, is an example; the very valuable Quit Rent Roll, 1729-35, printed in XXII. 240, is another. The conclusion from this experience is that the records as printed are by no means so complete as to make us indifferent to the value of what we may yet find. In the last few years the materials in the B. P. R. O. have been overhauled and rearranged, with the natural result that many documents which were inaccessible or unknown in the past have now come to light. Working under handicaps as he did, no just criticism can be made on Mr. Sainsbury for his failure to find these documents, much less on the North Carolina editors.

The progress in archival work in the United States in the last fifteen years has been even more marked than in England, and much documentary material of the Revolutionary period then unlocated and forgotten is now at the command of students. It must be remembered also that the great mass of transcripts from British sources now in the Library of Congress have all been made in the last ten years, and within that time have been published all of the Guides issued by the Carnegie In-

stitution. The aids now available to the student were not in existence when the material in this series was compiled, and its editors, without guides, without chart or compass in the wilderness of North Carolina history, deserve the highest praise for the work they were able to accomplish. For him who would now supplement their labors they have already made smooth the way.

In the following pages I shall undertake merely to suggest the various classes of documents in which we may expect to find North Carolina materials, some of it supplementary to what has been published; some of it reaching out into other and even broader fields. The student must always bear in mind, however, that the list given here, as well as the discussion, is merely tentative and preliminary. No attempt has been made to make the examination exhaustive. There is, for instance, in the Library of Congress much material both in the form of original documents and of transcripts which as yet lacks a systematic index, and is therefore largely an unknown quantity, but my investigations have gone far enough to show the richness of the field in general and, as Confucius would say, I am content to lift one corner of the veil. It is for the future compiler and editor to enter into this harvest.

While it is likely that some of the documents mentioned below will be found to have been printed already, it is believed that the great majority of them have never as yet seen the light, and his investigations lead the compiler to the comforting conclusion that there is enough unprinted material in sight which is worthy of publication, either in full or in the form of extended calendars, to make a duplicate series of the 30 quarto volumes which are now being completed. Taken as a whole, this English material is perhaps not of as much political value as that already printed, but of sufficient importance from any standpoint to highly justify its publication.

On the other hand, the material mentioned under IV as already in North Carolina is of the highest authority and value for economic and social studies, for biography and genealogy, and is as yet practically untouched.

I. NORTH CAROLINA MATERIALS IN ENGLISH AND FOREIGN ARCHIVES.

The recent rearrangement of the records of the British Public Record Office makes much easier an acquaintance with its contents. Students are also much helped by the labors of Professor Charles M. Andrews, who has published through the Carnegie Institution three volumes which

serve to lead the student through this great wealth of manuscript material. These volumes are his "Guide to the Manuscript Materials for the History of the United States to 1783, in the British Museum, in Minor London Archives, and in the Libraries of Oxford and Cambridge" (1908), and his "Guide to the Materials for American History to 1783, in the Public Record Office of Great Britain (vol. I, 1912, and vol. 2, in press).

With the help of these Guides, I have prepared a list of the North Carolina papers in the various British archives as they now stand, including those which have been published.[1] The list will be of interest to students who may wish to know of the location of the originals of the documents already printed in the Colonial Records and serve as a source from which future materials may be secured.

It is probable that most of the material under A, except as there indicated, has been printed. It is not clear how much of that under B has been printed, as the entries are not always full enough to permit identification. Most of the documents here included under C and D seem not to have been printed.

It should be noted that these lists do not profess to be exhaustive. The Guides do not attempt to cover every item. The lists here given are merely selections from materials mentioned in the Guides which I have not been able to identify with any of the documents printed in the series and which seem from their titles to throw light on the history of the State. It is evident from these lists that the materials in England, considered both as to amount and historical significance, would most amply justify the State in ordering, in the light of these lists and of the materials already published, a new and more exhaustive reëxamination of the whole field. That there is still much unpublished material in the British Archives touching North Carolina we can no longer doubt.

A. The North Carolina Volumes in the British Public Record Office.

These volumes are now included under the Colonial Office, Class 5 (C. O. 5). Numbers, or volumes, 286-292 are Carolina, Proprietary, and Nos. 276-281 and 293-353, North Carolina, presumably now all published, may be briefly reviewed as follows:

[1]All those which have been transcribed for the Library of Congress are mentioned under II. B.

Colonial Office, Class 5.

V. 286 (formerly Colonial Entry Book, 20). This is a minute book of the Proprietors, May 23, 1663-April, 1697.

V. 287 (old Colonial Entry Book, 21). 1674-1685. Entry book of instructions, articles of agreement, rules for granting land, indentures, Fundamental Constitutions, Second Charter, letters, etc.

V. 288 (old Colonial Entry Book, 22). 1682-1698. Instructions, letters, laws, minutes, accounts, and expenses, to 1687, grants of date 1697, Fundamental Constitutions of 1698, form of patent for landgrave, 1696.

V. 289 (old Board of Trade, Carolina, Proprietary, 4). 1693-1710. Contains orders and instructions to the deputy governor of North Carolina and to others by the Proprietors, May 11, 1693, to Mar. 27, 1702. Landgraves' and Caciques' patents, etc.

V. 290 (old B. T., Carolina, Proprietary, 5). 1710-1726. Similar documents for the period Mar., 1710, to Sept., 1725.

V. 291 (old B. T., Carolina, Proprietary, 6). Contains Proprietors' instructions, etc., North Carolina, including commissions and instructions, 1713-1723.

V. 292 (old B. T., Carolina, Proprietary, 7). 1708-1727. Entry book of Proprietors, Jan. 16, 1708, to July 1, 1727; with gaps from May 12, 1713, to Mar. 6, 1714, and from July 31, 1719, to Jan. 21, 1725.

V. 276 (old B. T. Acts, list of acts, 3). List of Acts, North Carolina, 1729-1757.

V. 278 (old B. T. Acts, list of acts, 4). *Id.* North Carolina, 1758-1759.

V. 279 (old B. T. Acts, list of acts, 5). *Id.* North Carolina, 1761-1765.

V. 280 (old B. T. Acts, list of acts, 6). *Id.* North Carolina, 1766-1770.

V. 281 (old B. T. Acts, list of acts, 7). *Id.* North Carolina, 1771-1774.

V. 293-304 (old Board of Trade, North Carolina, 8-19), 1730-1775. Original papers, letters, etc., from the governors, George Burrington to Josiah Martin.

V. 305 (old Board of Trade, North Carolina, 23 A), 1765-1775. Drafts of letters sent.

V. 306-307 (old America and West Indies, 592-593 and 682 in part). 1702-1783 and undated. The miscellaneous materials in these numbers seem to relate mainly to South Carolina. Memorandum on the produce and trade of the Carolinas and Bahamas. Sundry papers on Burrington's recall and a number of memorials.

V. 308-309 (old A. W. I., 22-23). 1711-1746. Letters from the governors, Burrington and Johnston, with enclosures.

These volumes seem to contain some letters not to be found in the Colonial Records. See Report Amer. Hist. Asso., 1908, p. 407. See also below.

V. 310-318 (old A. W. I., 214-222), 1761-1777. Letters from the governors, Dobbs to Martin, with enclosures.

V. 319-322 (old B. T., North Carolina, 42, 38, 40, 41). 1707-1775. Land patents and Land grants.

See a below.

V. 323-326 (old B. T., North Carolina, 21-24). 1730-1775. Entry books of letters.

V. 327 (old B. T., North Carolina, 20). 1728-1753. Abstracts of letters.

V. 328-331 (old A. W. I., 311-314). 1766-1782. Entry books, Secretary of State's entry book of in-letters.

V. 332 (old A. W. I., 434). 1768-1782. Entry book, Secretary of State's entry book of out-letters.

V. 333-341 (old B. T. Acts, North Carolina, 1; America and West Indies, 626; Board of Trade, North Carolina, 39; Board of Trade Acts, North Carolina, 2-7, 8, 9 duplicates of 338-341). 1734-1774. Acts, manuscript and printed.

See b below and Report Amer. Hist. Asso., 1908, pp. 407-8.

V. 307-309, and 342-357 (old A. W. I., 593, 22, 23 and Board of Trade, North Carolina, 24A, 25, 25A, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 36A, 37). 1731-1774. Minutes of the Council of the Assembly and of the Upper House of Assembly.

From the list of Journals in these numbers enumerated in Andrews's "Colonial Legislative Journals" in the Report of the American Historical Association for 1908, pp. 406-412, it would appear that most of their contents have been published; but by comparison with the lists printed in Chapter II it would seem that some have been overlooked. The exact status can perhaps be ascertained only by a careful comparison of the materials printed in the Colonial Records with the originals.

a. North Carolina Land Grants.

That the manuscript materials in the British archives have not yet been exhausted is shown further by the Land Grants. Down to 1752, the period covered by the first four volumes of the Colonial Records, it was the custom to give the names of the grantees. Long lists of such grantees are printed in Volume IV (See "Land Grants, lists of"). There is also the most abundant evidence that land patents and land warrants were issued in North Carolina down to the Revolution, *e. g.*, at a Council meeting on April 6, 1765: "Was read sundry patents for land, viz., No. 1 to No. 130, inclusive, which were all granted except Nos. 76, 99, 100, 112, 119, 120, 121, 122, 123, 124, 131." But no list of these and of other contemporary grantees appears in the Records. (See Index under "Land patents, granted," "Land warrants, granted," etc.)

Yet the names of many of these grantees down to the Revolution are preserved in the British Public Record Office. They are described by Dr. Andrews in his Guide as follows:

Colonial Office, Class 5.

V. 319 (formerly B. T. North Carolina, 42). 1707-1768. Patents of Land. An entry book containing an "Abstract of patents for land granted in his Majesty's part of the province of North Carolina." The patents are arranged alphabetically, and are taken from the records of patents in the secretary's office in the colony.

As the Colonial Records contain many lists of grantees of lands down to about 1752, we may perhaps safely assume that the greater part if not all of the contents of this volume have been printed already.

V. 320 (formerly B. T. North Carolina, 38). 1765-1770. Grants of Land. Record of the patents of land granted to claimants by the court of claims

sitting at Wilmington, Apr. and Oct., 1765, to Apr., 1770. The claimants are arranged under their respective counties. The dates of the grants are Sept. and Oct., 1766; Apr., 1767; Oct., 1767; Apr., 1768; Dec., 1768; May, 1769; Dec., 1769; Apr., 1770. These copies were sent over by Gov. Tryon, and the originals should be in the Record Book of Patents, in the secretary's office, North Carolina.

V. 321-322 (formerly B. T. North Carolina, 40-41). 1774-1775. Grants of Land. Similar to 320, containing lists of patents granted at the court of claims in North Carolina in 1774 and 1775. The record tabulates the information under the following headings: "Number"; "Patentees' names"; "No. of acres"; "What County"; "Date of patent"; "Situation of lands." There are 1156 entries in 321, some being duplicates, some caveats; and 1349 in 322.

Colonial Office, Class 324.

V. 54. Plantations General (old B. T. Plantations General, 54). 1750-1770. Grants of Land. This volume contains: North Carolina, 1770, Land office patents granted at a court of claims, held at New Bern, Nov. 30, 1770, giving patentee's name, number of acres, date of warrant, date of patent, and situation. The distribution is by counties; and the entries were taken from the secretary's office, North Carolina, Mar. 30, 1771, and April 10, 1771.

An examination of the printed Colonial Records for the periods covered by these entries in C. O., Class 5, Nos. 320, 321, and Class 324, No. 54, will show that few or none of the names of these grantees are there printed.

See also the entry: "North Carolina, Lands," in Stevens's "Catalogue Index to Manuscripts in Archives of England, France, Holland, and Spain, relating to America, 1763-1783," and the manuscript records in the office of the Secretary of State, Raleigh.

b. North Carolina Session Laws.

Students have noticed that the session laws as printed in volumes XXIII, XXIV, and XXV are not complete. The gaps are as follows, assuming that nothing more can be found for the period antedating the Revisal of 1715:[1]

1715. Revisal, lacks chapter 62.
1727. November session, lacks chapters 1, 2, 3, 4, 5, 6, 8.
1729. November session, lacks chapters 1, 8, 9, 10.

[1]Mr. Hathaway has printed in the North Carolina Historical and Genealogical Register copies of various laws enacted prior to 1715 and of which we have no other record, e. g., an act of 1689 on "Probious language" (II. 197); an act on debts, 1704 (III. 54); one on the processioning of land, 1703 (III. 71); one regulating the size of pork barrels (III. 150), and one on proving wills (III. 58), both without date. The originals on which these copies are based were found among the records of Chowan County. It is believed that careful search will bring to light other specimens of legislation during the proprietary period.

1734. Lacks chapters 1, 3, 4, 5, 7, 9.
1738. March session, lacks chapters 1, 2, 4, 5, 6, 7, 8, 9.
1739. February session, lacks chapters 1, 2.
1740. August session, lacks chapters 5, 6, 8, 11, 12.
1741. April session, lacks chapters 2, 3, 6, 10.
1741. Second session, lacks chapter 2.
1755. September session, lacks chapter 3 (in part).
1759. November session, lacks chapter 13 (in part).
1770. December session, lacks chapters 2, 12, 25, 30, 38, 41, 44.
1771. November session, lacks chapter 8.
1783. April session, lacks chapters 46, 49, 54, 57, 58, 59.

This represents a total of 54 laws enacted between 1715 and 1783 that seem to be lost. Are these laws lost beyond recovery? All of those passed after 1750 were printed in the colony. Some of these early issues of the colonial press are occasionally found, and it seems reasonable to think that others, including the missing ones, may yet be found either in the State or in the British archives, from which source many of the chapters printed in this series have been but recently recovered.

According to Professor Andrews's "List of the Journals and Acts of the Councils and Assemblies and the Acts of the Thirteen Original Colonies, and the Floridas, now preserved among the Colonial Office Papers in the Public Record Office" in the Report of the American Historical Association for 1908 (p. 403 *et seq.*) material may be found there which may go towards completing our list of colonial laws:

Colonial Office, Class 5.

V. 333 (old B. T., Acts North Carolina, 1) contains:
"Copy of 9 acts passed in 1734," of which we lack 6.
"Copy of 11 acts passed in 1738," of which we lack 8. See also No. 334.
"Copy of 4 acts passed in February, 1739-40," of which we lack 2.
V. 335 (old B. T., North Carolina, 39) contains:
"Printed Acts 1755, 2d session," of which we lack 1. See also Nos. 333 and 336.
"1759, 9th session, November," of which we lack 1. See also No. 336.
V. 340 (old B. T., Acts North Carolina, 6) contains:
"Acts Jan. 15, 1771-March 6, 1773; Nos. 166-266," of which we lack 8. See also No. 341.

If these lists of acts are as complete as they seem from the printed references, they ought to furnish us half of the laws needed before the Revolution, in fact all except for 1715, 1727, 1729, and 1741.

To complete the acts for April session, 1783, we shall have to depend on finding in America a complete copy of the printed acts for that session. The three copies known, that of the State Library, the University, and my own, all stop with p. 44, chapter 45.

I add as a matter of interest a list of all known copies of the pre-revolutionary Revisals of North Carolina and of the Session Acts (original editions) down to 1801.

LIST OF KNOWN COPIES OF NORTH CAROLINA PRE-REVOLUTIONARY REVISALS.

	Revisal of				
	1751	1752	1764	1765	1773
Association of the Bar, New York, N. Y.		x			x
Boston Public Library					x
British Museum				x	
Columbia University		x			x
Cornell University					x
Harvard University		x			x
John Carter Brown Library		x			
Library of Congress	x				
Massachusetts State Library					x
New York Historical Society	x	x[1]	x		x
New York Public Library	x			x	
North Carolina State Library		x	x	x	x
Pennsylvania Historical Society	x				
University of North Carolina		x		x	x
Thomas M. Pittman				x	
Stephen B. Weeks	x[2]	x[1]			x

[1]Imperfect. [2]Oldest known copy; stops with laws for 1750.

LIST OF KNOWN COPIES OF NORTH CAROLINA SESSION LAWS, 1751–1800.

	British Museum.	British P. R. O.	Association of the Bar.	Harvard University.	Pa. Historical Society.	N. C. State Library.	U. N. C. Library.	Library Stephen B. Weeks.
1751			x	x	x	x	x	x
1752			x	x	x	x	x	
1753		x			x[1]			
1754, February		x[2]						
1754, December		x						
1755		x						
1756		x						
1757, May		x						
1757, November		x						
1758, April		x						
1758, November		x						
1759, May		x						
1759, November		x						
1760, April		x						
1760, May		x						
1760, June		x						
1760, November								
1761								
1762								x[3]
1764								x[3]
1765								x
1766								x
1767								
1768								

LIST OF KNOWN COPIES OF NORTH CAROLINA SESSION LAWS, 1751-1800—CONTINUED.

	British Museum.	British P. R. O.	Association of the Bar.	Harvard University.	Pa. Historical Society.	N. C. State Library.	U. N. C. Library.	Library Stephen B. Weeks.
1769								
1770								
1771								
1773								
1774			x					x
1776								
1777						x[3]	x	
1778, April						x[2]	x[2]	
1778, August								
1779, January						x		
1779, May						x	x	
1779, October						x	x	
1780, April						x	x	
1780, September						x	x	
1781, January						x[2]		
1781, June						x[2]	x	
1782						x	x	x[2]
1783						x[2]	x[2]	
1784, April						x	x	x
1784, October						x	x	x
1785			x			x	x	x
1786			x			x[2]	x	
1787			x	x		x	x[2]	x
1788			x	x		x	x	
1789			x	x		x	x[2]	x
1790			x	x		x	x	x[2]
1791			x	x		x[2]	x	x[2]
1792			x	x		x	x	x
1793			x	x		x[3]	x[3]	
1794, July			x	x				
1794, December			x	x		x	x	x
1795	x		x	x		x	x	x
1796	x		x	x				
1797			x	x		x[2]	x[2]	
1798			x	x		x	x	
1799			x	x			x	x
1800			x	x		x	x	x

[1]Numbered as pp. 373-384. [2]Numbered as pp. 385-410, and evidently intended also as an appendix to the Revisal of 1752. [3]Imperfect.

B. Miscellaneous North Carolina Documents in the British Public Record Office, Etc.

This list of documents, supposed to contain material bearing on North Carolina, is based on Andrews' Guide, vols. I and II. The first volume deals with the State Papers; volume II with the Public Record Office, Departmental and miscellaneous offices, which are not included in either volumes I (State Papers) or III (British Museum). Volume II is not yet published. I was enabled to examine the proof-sheets through the courtesy of Dr. J. Franklin Jameson, director of the Bureau of Historical Research, Carnegie Institution.

These documents are apparently unpublished except as indicated.

a. State Papers.[1]

State Papers Domestic, George II.

V. 151. Regarding Lord Carteret's lands in Carolina.

State Papers Domestic, George III.

V. 4. Papers in regard to the Cherokee Indians.

V. 5. Warrant for the salary of William Tryon, governor, for £1,000 out of the four and a half per cent.

V. 14. Letter on the reduction of Carolina, June 15, 1780.

State Papers Domestic, Entry Book.

V. 237. Rev. Thomas Bray for erecting a company to defray expenses of orthodox ministers and instructors in America.

V. 238. Daniel Coxe in regard to the Heath Patent.

V. 325. Appointing James Dulaney chief justice of North Carolina.

State Papers Domestic, Naval.

V. 29. Complaint of Capt. Frankland against Governor Glen of South Carolina.

V. 42. A great number of papers relating to proceedings of vice admiralty courts in America against Spanish vessels (answers to queries sent by Admiralty Board to colonies, from . . . North Carolina—original papers, not copies).

V. 124. List of ships taken, 1715-1727, among which are a number sailing between the American continent and the West Indies—Barbadoes to Carolina, . . . name of captor is given, also cargo and value.

State Papers Domestic, Military.

V. 38. Warrant for arms for North Carolina and Virginia, Oct. 7, 19, 1754.

[1]This account of the State Papers and of the Colonial Office Papers is taken from Andrews' Guide, I.—State Papers.

Home Office 42 (continuation of State Papers, Dom., George III.).

V. 1. Extract of letter to some one gone to England, planning to return, from a loyalist, J. Hamilton, in America, mentioning Governor Tryon, Mar. 31, 1782.

Home Office 55 (Colonial Office 5).

V. 7. Address from Loyal American Refugees to the King, June, 1779. The signatures are divided among the colonies thus: . . . Virginia, 13; South Carolina, 13; North Carolina, 11; Georgia, 7.

State Papers Miscellaneous.

V. 25. Index: "Barbadoes," "Bermudas," "Carolina," etc.

b. Colonial Office Papers.

Colonial Office, Class 5.

V. 1 (old America and West Indies, 601). 1689-1783. Plantations General. Petition and memorial from the Carolina Proprietors.

V. 5 (old A. W. I. 603). Memorial from Henry McCulloh, containing observations based on his recent journey through America, 1748—fo. 247.

V. 9 (old A. W. I. 58). 1710-1713. A number of documents relating to affairs in North Carolina in 1712 (printed); one document dated 1685; another, 1709.

V. 67 (old A. W. I. 270). Papers relating to Indian affairs, particularly in the Southern Department. Copies of Stuart's papers on the subject.

V. 116 (old A. W. I. 295). 1775-1779. Petitions and Memorials. Memorials from Loyalists in Georgia and South Carolina as to the best way of reducing those colonies to obedience to the Crown; other Georgia and South Carolina material.

V. 159 (old S. P. Dom. George III., 9, 13 and 15 and H. O. Secretary of State 1). 1772-1775. Correspondence of the Secretaries of State for the colonies with the Attorney General and Solicitor General.

Objects to mode of attaching the effects of absent debtors in North Carolina and asks how governors can be instructed to consent to such regulation respecting attachment as may without prejudice to the fundamental principles of the law of England remove the objections stated by the assembly to the present restrictions.

Concerning Regulators in North Carolina, with a copy of King's proclamation of amnesty.

V. 176 (old A. W. I. 298). 1778-1783. General correspondence of the Secretary of State with Civil Offices of the Revolting Colonies.

North Carolina. Letters from Gov. Martin, Jan. 23, 1778-May 23, 1782, from New York, Army Headquarters (Camden and Waxhaw) and London, giving an account of events of the period and of military affairs in the South, enclosing printed broadsides and newspapers and presenting the case of refugees and their families; also copy of a letter from Lord George German. Probably all printed.

V. 217 (old A. W. I. 388). 1765-1766. Précis of correspondence with Governors, North. "This book contains all that passes by the No. American mail, vizt.: The Northern Province as far south as North Carolina inclusive." Contains abstracts of governor's letters and copies of dispatches to the governors.

Probably all printed.

V. 227 (old A. W. I. 392). 1768-1771. In-letters: Indian affairs, letters from John Stuart and others.

Probably all printed and apparently little on North Carolina in this volume as copied for the Library of Congress.

V. 272 (old B. T. Commercial II. 440). Entry book of Charters: Carolina, Massachusetts, Connecticut, Rhode Island. Printed.

V. 1257-1279 (old B. T. Proprieties, 2-24). 1697-1776. Original papers relating to the proprietary governments: Bahamas, Connecticut, Carolina, and others.

All except vol. 1272 have been copied by the Historical Society of Pennsylvania.

Colonial Office, Class 23.

V. 12 (old A. W. I. 452, 453). Bahamas. 1696-1731. Correspondence with the Secretary of State. These papers throw light on trade and commerce with New England, Virginia, North and South Carolina.

V. 26. Bahamas (old Col. Corr. Bahamas, 11). 1781-1786. Miscellaneous, including many papers relating to Loyalists, refugees, among them James Hepburne, "formerly retailer of gin and whiskey in North Carolina." (See Index.)

Colonial Office, Class 137.

V. 79, 80, 81. Jamaica (old Col. Corr. Jamaica, 1-26). Papers regarding the recruiting and service of American Loyalist troops (particularly the Loyal American Rangers, the regiment of the North Carolina colonel, John Hamilton, who was the very crest of Tory organization in the South) ordered to Pensacola.

Colonial Office, Class 323.

V. 4. Plantations General (old B. T. Plantations General, 6). 1689-1780. Account of ordnance and other stores of war sent to the Plantations between 1660 and 1688, including Carolina.

V. 32. Plantations General, 1758-1759. This volume concerns North Carolina, South Carolina, Georgia, Newfoundland, and the West Indies.

Colonial Office, Class 324.

V. 32. Plantations General, 1710-1713. Letters to the Proprietors on disorders in Carolina, 1712.

V. 37. 1736-1749. Instructions to Gabriel Johnston regarding Carteret's Eighth, with other papers.

V. 40. 1760-1764. Instructions to Amherst, expressing secretary's displeasure at conduct of governors of Pennsylvania and North Carolina, referring to the representation of Mar. 15, 1763.

Instructions to the governors of North Carolina, South Carolina, and Nova Scotia.

V. 44. 1778-1783. Warrant for appointment of John Stuart as colonel of the Creeks, Cherokees, Choctaws, Chickasaws, Catawbas, and of all other Indian tribes within the Southern District of North America.

V. 54. 1750-1771. Grants of land. See under Land Grants.

V. 60. Plantations General (old B. T. Plantations General 60). 1703-1782. Entry Book of appointment of agents: North Carolina, James Abercrombie, 1748; Henry E. McCulloh, 1769.

Colonial Office, Class 326.

V. 15. Board of Trade, 1780. Lists of maps. Includes 10 large volumes (old B. T. Book of Maps 8-17), 2½ feet square. No. 13 is devoted to North and South Carolina. Another volume (old B. T. Book of Maps 28) contains: 19. Carolina and Georgia; 49. North Carolina.

V. 16. Board of Trade, 1703-1782. Registers of Board of Trade Papers. These volumes contain the titles of letters received and written by the Board. No. 16 is devoted to North Carolina, 1730-1759.

Colonial Office, Class 388.

No. 57. Board of Trade, Commercial, 1769-1770. Many memorials from agents of Virginia, South Carolina, North Carolina, etc.

Colonial Office, Class 390.

No. 8. Board of Trade, Commercial, 1712-1717. Lettered A-K. G shows the quantity of timber imported in three years, 1717-1720, especially from Newfoundland, West Indies, Carolina, etc.

Colonial Office, Class 391.

No. 117. Board of Trade Journal (old B. T. Journal 29). 1719-20. Contains copies of minutes and letters relating to disputes between England and France regarding the extent of their respective claims in America—Hudson's Bay, Carolina, and elsewhere.

c. Admiralty Papers.[1]

Admiralty I. In-Letters.

No. 486. Commodore Parker's letters (1775-1777) from Cape Fear and other places.

No. 3672. Penrice on admiralty jurisdiction in North Carolina; advises that jurisdictions be kept distinct by order in Council, June 6, 1729.

No. 3680. Ships condemned in the vice admiralty court of North Carolina—Prohibitory Act forbidding taking ships in rebel colonies—appeal. July 23, 1777.

No. 3817. Letter of Governor Gabriel Johnston. June 11, 1741.

No. 3818. Letter of Gov. Arthur Dobbs and council. Mar. 3, 1757.

No. 3878. Joseph Anderson appointed by the governor to succeed Porter, the late judge. Edenton, N. C., Nov. 16, 1743. Joseph Anderson with an account of prizes, Nov. 12, 1744.

No. 3881. Letter from William Faris concerning prizes, North Carolina, Nov. 27, 1747.

No. 4316-4330. Letters from the War Office. These (apparently 4318) contain a reference to George Gould, appointed surveyor general of North Carolina and collector of customs at Bath Town, Feb. 29, 1740.

Admiralty II. Out-Letters.

No. 1045-1061. Letters relating to admiralty and vice-admiralty courts. Letters to George Burrington, governor of North Carolina, 1730.

[1]Based on Andrews' Guide, II.—Public Record Office, Departmental and miscellaneous.

No. 1057. Regulations governing the court at Charleston, *id.* within the limits of North Carolina, South Carolina, Georgia, and the Floridas. Augustus Johnston, judge, Andrew Dummer, register.

Admiralty VII. Miscellaneous.

No. 592. 1768-1769. Tabular statements of exports and imports from colonial ports. Includes ports of Currituck, Roanoke, Bath Town, Beaufort and Brunswick in North Carolina. Gives species of merchandize, quantity and country of origin or destination.

Admiralty. Accountant General's Department. Miscellaneous, Various.

No. 2. 1775-1782. Documents relating to transports and tenders employed during the American War. Some letters from Carolina, Virginia, etc.

Admiralty. Medical Department.

No. 85. 1709-1754. Packets of original in-letters from surgeons and agents for sick and wounded seamen from Virginia, North and South Carolina, etc.

d. Audit Office Papers.

A. O. Accounts, Various.

No. 126. (12) Account of Josiah Martin, governor of North Carolina. 1776-1779 (Decl. Acc., A. O., 1259. 139).

A. O. Declared Accounts.

Bundle 202. Roll 654, *Id.*, contractor of victuals for the Carolinas, 1781. Roll 655, *Id.*, contractor of victuals for the Carolinas, Georgia, Florida, etc., 1781.

Bundle 325. Roll 1287. Accounts of North Carolina [Loyal] Troops. Roll 1288, Accounts of Wilmington Light Dragoons, North Carolina Highlanders, North Carolina Independent Company and many other companies of loyal troops. 1776-1782.

The data furnished regarding these provincial companies, though varying in different instances, generally consist of names of commanding officers, periods of service, and pay of special officers and the rank and file.

Bundle 338. Roll 1357. Declaration of Maj. R. England, Quartermaster for Carolina and Virginia. 1781.

Bundle 514. Roll 193. Declaration of Stedman and Boote, commissaries of captures in North and South Carolina and Virginia. 1780-1782.

Bundle 1259. Roll 139. Declaration of the account of Josiah Martin, governor of North Carolina, of money received from the Paymaster-General of his Majesty's Forces, by the hands of the deputy paymaster there . . . and of the expenditure thereof in disbursements for necessaries to distressed refugees and other expenses in North Carolina; as also for the pay and subsistence of several officers and soldiers in a corps of provincial forces raised in North Carolina pursuant to authority, from January 10, 1776, to October 24, 1779. £300 was spent to supply the necessities "of divers persons well affected to the government who have been obliged by the persecution of the rebels to take refuge on board the shipping in Cape Fear River"; also other items regarding prisoners and provincial officers,

medicine, attendance, provisions, etc. The names of individuals are given and a large amount of detailed information of interest for North Carolina. 1776-1779.

Bundle 2192. Roll 207. Stamp Duties. This is the Comptroller General's declaration of the general account of the several duties arising on stamped vellum parchment, and paper in the British colonies and plantations in America. 1765. Contains a complete list of all the colonial receivers of stamps, with the arrears due in goods, money or bonds.

Bundle 2320. Roll 47. Bill "against the Proprietors of Carolina for abuse of their Charter." Total charge £84. 8s. 3d. Quo warranto proceedings. c. 1706.

e. Treasury Papers.

Henry McCulloh, receiver of quit rents in the Carolinas, quoted on the duties of the auditor or his deputies in the plantations. See his "A miscellaneous Essay concerning the Courses pursued by Great Britain in the Affairs of her Colonies (London, 1755), pp. 104-117, quoted in Andrews' Guide, II.

The appointment of receiver had to be approved by the Treasury. In case of a vacancy, the governor might appoint. Gov. Martin appointed Archibald Neilson in North Carolina, who could exercise full powers until the approval or disapproval of the Auditor General in England was received.

No. 330 (256). 1748. Petition of Henry McCulloh regarding quit rents, and other papers.

Petitions of McCulloh to the Treasury and to Walpole.

No. 325 (261). 1749. Walpole's report on Eleazar Allen's accounts as receiver of quit rents.

No. 338 (264). c. 1750. Entry of passengers for Wilmington, N. C., by the *Industry*, John Alexander, master. Belongs to the same series as *Treas.* 47: 9-11.

No. 350 (276). 1752. Warrant for payment of Henry McCulloh.

Memorial and claim of the widow of Gabriel Johnston, deceased, late governor of North Carolina, in behalf of herself and her children.

No. 353 (279). 1753. Statement of W. Horseley, "at the desire of the Carolina merchants," regarding the converting of tar into pitch in England and consequent loss to the revenue.

No. 355 (281). 1754. Memorial of Arthur Dobbs, governor, regarding the need of small coin; says that there is scarcely any gold or silver bullion in the colony, and wishes a copper coinage to be struck off at the mint for the use of the colony. The reply of the mint follows, Oct. 1. Dobbs places the white population at 80,000.

No. 360 (286). 1755. Copy of Dinwiddie's commission to Peter Randolph and William Byrd, commissioners to the Catawba and Cherokee Indians.

Copy of act in North Carolina for ascertaining and securing the payment of quit-rents with marginal comments. The papers mentioned in the accompanying Board of Trade letter are in 361, ffo. 117, 119, 149, 159, 160, 182. [Probably the act passed at Dec. Sess. 1754.]

Copy of quit-rent act in North Carolina, with Child's objections to the same, and the report of Sir Matthew Lamb (ffo. 149, 159, 160, 182).

No. 368 (294). 1756. Letter of Robert Palmer, Port Bath, regarding seizure of a ship.

No. 369 (295). 1756. Memorial of Henry McCulloh regarding his salary, with an account of his case, and a request that he be exempted from paying quit rents (fo. 38).

Order in Council regarding petition of Henry McCulloh. Oct. 13.

No. 372 (298). 1757. Claims of Virginia and North and South Carolina to the £50,000 granted by Parliament. See No. 376 (302) for apportionment.

Memorial of William Byrd and Peter Randolph for allowance recompensing them for negotiating treaty with Indians. Cf. 381, fo. 24.

Report from Robert Cholmondely, auditor general, on land grants in North Carolina. Walpole's last report was in January; this is Cholmondely's first report.

No. 382 (313). 1758. Deposition of Joseph Caruthers in the John Rutherford case. Jan. 4.

Report of Privy Council Committee on case of Henry McCulloh, with copy of his petition.

Order in Council authorizing payment of McCulloh. June 16.

McCulloh's receipt for £1035 paid out of the four and a half per cent. The whole sum was to have been paid out of the quit-rents, but the amount was not sufficient. July 14.

No. 388 (314). 1757. Petition of John Rutherford, praying to be restored as receiver general of quit-rents for North Carolina, with a careful statement in his own defense. Also letter from Cholmondely.

No. 397 (323). 1759. Cholmondely on the Rutherford Case. July 21.

No. 463 (389). 1768. Memorial of William Graves on behalf of Lancelot Graves Berry, collector in North Carolina. Read Apr. 19.

No. 467 (392). 1768. Documents in the case of a master of a vessel, the *Aurora*, brig, supposed by the governor of North Carolina to be guilty of a breach of the acts of trade. Read Oct. 25.

No. 480 (405). 1770. Memorial of merchants of London trading to North and South Carolina and Georgia.

No. 496 (421). 1772. Extract of a letter from Gov. Martin regarding quit-rents.

No. 500 (425). 1773. Remarks of Robert Jones on the North Carolina quit-rent act (fo. 111).

No. 502 (427). 1773. Gov. Josiah Martin on quit-rents.

No. 505 (430). 1774. Letter from Gov. Martin on quit-rents and Receiver General Rutherford. July 29.

No. 518 (443). 1775. Petition of agents of American Loyalists to Parliament, signed by Joseph Galloway and Henry Eustace McCulloh (fo. 51).

Treasury 4. Indexes, Reference Books.

No. 3. Petition of George Muschamp, who had served as had his father in the customs service in Ireland, and prays to succeed Gibbs, who was "King's collector of Carolina and Roanoke" (p. 148). 1684.

No. 12. Representation from estate of Gov. Gabriel Johnston, regarding arrears of salary (p. 48). Oct. 10, 1760.

No. 16. 1702-1711. Report of Blathwayt with several states of Her Majesty's revenue in the plantations (followed by a brief statement of revenue accounts in Massachusetts, New York, Jamaica, Virginia, Caribbee Islands, the Jerseys, and Carolina.

Treasury 33. Accounts General: Declaration, Auditors.

No. 151, c. 1770. Expenses. Wills Tryon, Arm. Gubernator N. Carolinæ Super allocation's. ad, m l. per annum.

Treasury 38. Accounts Departmental: Auditors.

No. 362. An account showing the quantity of rice imported and exported from Christmas, 1705, to Christmas, 1712, Carolina showing the largest quantity.

No. 363. An account of the numbers of ships and names of the masters that have since Sept. 29, 1730, taken license and given bond for liberty to carry rice from Carolina to the southward of Cape Finisterre, etc.

An account of the value of the exports from England for Maryland, Virginia, and Carolina. Apr. 8, 1731.

Id., for New York, New England, Pennsylvania, Virginia, Maryland, and Carolina. Apr. 21, 1731.

An account of what quantity of pig-iron has been imported into England from Christmas, 1720, to Christmas, 1730. Feb. 9, 1732. Figures for Virginia, Maryland, Pennsylvania, and Carolina (very little).

Id., Bar-iron. Figures for Jamaica, Virginia, Maryland, Barbadoes, New England, and Carolina (very small amount).

Treasury 47. Miscellaneous.

Nos. 9-11. 1773-1776. Emigration Lists. These lists were drawn up in response to a letter from the Treasury, Dec. 8, 1773, and as here preserved are incomplete. The largest group of names includes redemptioners and indentured servants going to Virginia, Maryland, Philadelphia, New York, and a few to North Carolina. See N. E. Hist. and Genealog. Register, 1910 and 1911.

No. 12. *Id.* List of emigrants from Scottish ports for Nova Scotia, New York, Pennsylvania, North and South Carolina, Georgia, Antigua, and elsewhere.

Treasury 50. Miscellanea. Loyalists.

Bundles 1-5. 1780-1782. North and South Carolina Refugees.

These volumes contain an account of disbursements for the militia and for Loyalist refugees at Charleston. 1780-1782.

1. The militia receipt book of Capt. John Cunningham, paymaster general of militia at Charleston, 1781, containing the receipt-signature of each militia man, the amount paid to him, and the period for which it was paid.

Books of payment to several militia regiments, containing the names of the officers and men, rates, amounts, and places where each regiment served. June 14-Dec. 13, 1780.

Alphabetical Index nominum to the South Carolina militia. Charleston, 1781.

Id. North Carolina militia.

Book of receipts for cash paid by Col. Robert Gray, paymaster general of North Carolina militia, to the men of Col. Faithful Graham's regiment.

Similar documents. 1782.

Many of the papers in this bundle are damaged and difficult to read. They are valuable for the names in the lists, particularly those of Colonel Graham's regiment. The book of receipts for cash paid on the South Carolina abstracts furnishes a list of royal regiments and the names of the men, and in many cases interesting comments added to the names given in the list.

2. Continuation of second item in Bundle 1.

Indices nominum of distressed refugees who received charitable donations. 1781. No. 11 is of importance as giving names, states, etc., in full.

Cash book of money received from the commandant of indigent refugees, contingent expenses (interesting items). Sept. 18, 1781-Jan. 1782.

3. Small packets containing abstracts of pay of North and South Carolina militia, 1782; the third packet more damaged than the others.

4. Reports touching the cases of distressed refugees, with details, the names of those recommending the case and the amounts allowed (important). 1781.

Collection of exhibits justifying the recommendation.

Militia and refugee receipts, South Carolina. 1781-1782.

5. Continuation of 4: Abstracts of pay and receipts signed by refugees receiving allowances; also contingent expenses of refugees in Charleston, 1781, and other similar papers. (Formerly *Miscellanea, Refugees, Carolina*, 1-5.)

Bundles 6-28, 31-48. 1782-1831. Loyalists Quarterly Pension Lists. These schedules furnish information supplemental to that given in the Audit Office series of bundles and volumes of American Loyalist Claims. As early as 1776 the Treasury inaugurated the policy of making payments to Loyalist refugees who had incurred losses in America. After 1778 the claims were carefully investigated. These volumes are the ledgers of actual allowances and payments. The list includes under 1782: Josiah Martin, governor of N. C., £500; 1783: H. E. McCulloh, gentleman, of North Carolina, £300; Arch. Neilson, deputy and naval officer, North Carolina, £60, etc., etc.

Treasury 52. King's Warrants, 1667-1783.

Bundle 6. Contains warrants with the King's sign manual, directing the payment of special appropriation of £50,000 for Virginia, North and South Carolina.

Treasury 53. Money Books, or Warrants relating to Money, 1676-1783.

Bundle 31. Contains entries of warrants for payment to Jonathan Forward of London, merchant, the sum of £264 for transporting 66 malefactors, lately lying in Newgate. The names of the 66 convicts, of which 28 were women, are given with the statement that they were to be transported to Carolina or Virginia (March 7, 1723/24).

Treasury 54. Warrants not relating to money.

Bundle 31. Report from the Treasury on the proposals of the Proprietaries of the Carolinas.

Warrant authorizing Auditor General Walpole to have a deputy in the Carolinas for receiving quit rents.

Treasury 60. Auditor's Order Book, 1667-1783.

Nos. 1-25 contain order issued for allowance to clergyman going to North Carolina June 21, 1776.

Treasury 62. Maps and Plans.

No. 125 (formerly No. 94), West Indies, contains plans of entrance to Cape Fear Harbor.

Treasury 64. Miscellanies, Various.

No. 88. 1680-1718. Entry book of William Blathwayt, auditor general. Contains: Rent due from Carolina patentees (p. 96).

No. 89. Same. Regarding boundaries between Virginia and Carolina (pp. 406-413).

No. 90. Same. Warrant for expense of settling bounds between Virginia and Carolina, £250 (p. 93).

No. 273. 1707-1779. Various accounts of imports and exports. Contains:

An account of the quantity of rice carried directly from Carolina to foreign lands, to the southward of Cape Finisterre, 1730-1737.

An account of the quantity of refined sugars exported from England, 1736-1737. Considerable quantities were sent to all the plantations, especially to Carolina, Jamaica, Virginia, Maryland, and Pennsylvania.

An account of the quantity of rice imported into England from Carolina, 1723-1737. March, 1739.

No. 274. An account of British plantations brown sugar imported into and exported from the port of London and the outposts and to what places exported for ten years past, distinguishing each year. May 3, 1758. Mention is made of Carolina.

An account of the quantity of rice exported from North Carolina, South Carolina, and Georgia to any part of America to the southward of South Carolina and Georgia since the passing of the acts by which such exportation was allowed (brief). Feb. 17, 1766.

An account of the quantity of rice, sago powder and vermicelli imported into England. May 4, 1767, to Nov. 30, 1767. Rice only is exported from Carolina.

An account of the quantity of wheat and wheat flour imported into England. Jan. 5-Oct. 10, 1767. Jan. 10, 1768. A little wheat flour from Carolina.

No. 276. An account of the quantity of tobacco imported into England for seven years, Christmas, 1762-Christmas, 1769, distinguishing each year and each colony. Aug. 22, 1770. Greater part from Carolina, Virginia, and Maryland.

An account of coffee imported into England from Carolina, etc. 1773-1774.

No. 291. Allowances to Peter Randolph and William Byrd for services as commissioners to arrange treaty with the Cherokees and Catawbas, £700. July 30, 1761.

Treasury 75. East Florida Claims.

There are no North Carolina Tories mentioned in this connection by Andrews, but since many went from North Carolina to Florida or saw service there with the British, there is doubtless considerable material on the subject under this heading.

f. War Office Papers.

War Office 12, 1882—11099. 1757—1783. General Series.

The list accompanying notes the regiments of regulars serving between 1757 and 1783. The regiments serving in America at any time during the period can be ascertained from W. O. 24 and in part from C. O. 5. 173. When the name or number of the regiment serving in North Carolina is known, data concerning it can be obtained from those rolls and lists.

For instance, W. O. 24, 189, contain materials on Lord Cathcart's expedition against Carthagena, 1739 and 1740, and as these usually have lists of plantation troops, we may hope to find there the names of the North Carolinians who served in that expedition. See also the various registers included under W. O. 25.

War Office 65.

Nos. 164-166. 1770-1783. Annual Army Lists, made up for use in the War Office.

Contains printed lists of officers of the provincial regiments, including the following North Carolina troops:

King's Carolina Loyalists or King's Florida Rangers.
North Carolina Volunteers.
North Carolina Independent Company.
Wilmington Light Dragoons.
North Carolina Highlanders.
North Carolina Provincials.
Perhaps other companies.

g. High Court of Admiralty Papers.

Adm. Court, Miscellanea: Ships, Books and Papers.

972. *George.* Archibald Bog, master, Skye to Cape Fear, Aug. 6, 1775, had fight with privateer out of Boston and struck, June 16, 1776.

974. *Peggy.* Alexander Hardie, master. Charleston to Cape Fear, June 4, 1775; Cape Fear to Bristol, July 21-Aug. 28, 1775. Was transport ship with Adm. Parker's fleet and returned to Cape Fear, July 26, 1776, thence to England.

1180. 1781-1790. Letters to importing merchants, including in North Carolina: Maj. Robert Smith (Mecklenburg Co.), Josiah Collins (Edenton), Webb, Bryer & Co. (Edenton), Dr. Nathan Alexander (Mecklenburg Co.), Daniel Dunscomb, Jr. (Chatham).

h. Admiralty Court Prize Papers.

War American Revolution, 1776-1786, Nos. 260-493.

Bundle 274 includes: *D'Argentré.* Letter from captain of the 1st Georgia Regiment of Foot in the Continental Army to the Governor of North Carolina.

Bundle 282. *Brothers,* formerly the *Sally,* taken by the *Buckskin,* Dec. 5, 1776, retaken Aug. 9, 1777, by the *General Howe.* The owners were Alexander and Hugh Telfair, Scotchmen of Halifax, N. C., who claimed that they were escaping loyalists and that the ship could not be condemned as a prize; papers relate to this claim.

284. *Boreas,* from Philadelphia to North Carolina, captured by the transport *Richard,* Nov. 12, 1779. *Beggar's Benison,* from the West Indies to North Carolina or Virginia, taken by a Dominican privateer, July 2, 1778.

i. Cornwallis Papers.

Bundles 2-6 cover his activities in North Carolina. There is perhaps little of interest to North Carolina in these manuscripts which has not already seen the light in the Cornwallis Correspondence or in Stevens's Campaign in Virginia; but see also in this connection Stevens's Index. The originals are deposited in P. R. O.

j. Shaftesbury Papers.

Those relating to Carolina have been calendared in Cal. State Papers, collected and printed in extenso in the collections of the South Carolina Historical Society, vol. V. The originals are in the P. R. O.

k. South Carolina Papers.

The South Carolina records are grouped mainly under C. O. 5, Nos. 358-535. There is much on North Carolina there also. The condition of the records of that State and its policy towards publication may be seen from the following letter of Mr. A. S. Salley, Jr., Secretary of the South Carolina Historical Commission (May 9, 1913):

> It will be a long time before we publish the transcripts of the papers in the British Public Record Office relating to South Carolina. We have tons of original records of our provincial governments (proprietary and royal), and most of them cannot be duplicated. I am, therefore, printing them up as fast as I can. The originals of the transcripts being safely housed in the B. P. R. O., we could replace the transcripts in case they should be destroyed. Many of them are also recorded here in our books of original entry and will be printed when we print those books. I enclose you a list of our publications, wherein you will see that we have printed eight small volumes of provincial records of the proprietary period. I believe in printing each volume of records on a given subject in a volume to itself. * * *
>
> No calendar of our transcripts has been published. One has been made by Mr. Leland of the Carnegie Institution. * * * We have much material here that would pad out your North Carolina additional volumes if properly gleaned.

C. Miscellaneous North Carolina Documents in the British Museum and Other Depositories.

In Andrews' Guide to the British Museum are references to many papers which apparently relate to North Carolina and which do not appear in the Colonial Records. Many of these documents have been copied for the Library of Congress and are mentioned later. The following list contains only those which have not been copied:

a. Sloane Manuscripts.

No. 2717, fo. 9. Pass signed "Chris. Merchant, Albemarle County in Carolina," August 18, 1690.

Nos. 4046, 4047. Various letters from Mark Catesby, dated Charleston, and dealing with the fauna and flora of Carolina.

No. 4058, fo. 198. Letter from Dr. Daniel Coxe.

Selections from 4036-4058 are in the Library of Congress.

b. Additional Manuscripts.

No. 5414. Roll 24. Map of Carolina, from Virginia to Georgia.

Date must be 17th century.

No. 14036. Map of the Cherokee Country, by John Stuart.

Shows the back country of Virginia and Carolina, the location of Fort Loudoun, etc.

No. 31981. B. Plan of mouth of Cape Fear River in North Carolina, 1749.

By Edward Hyrne (?).

No. 32692, fo. 521. Letter of Robert Monro to Newcastle, seeking to obtain for William Mackay the post of clerk of assembly of North Carolina in place of Amyand.

No. 32693, fo. 175. Considerations by Henry McCulloh about enlisting.

No. 35911. Hardwicke Papers relating to America, with materials on the Cherokees.

c. Privy Council Office.

Unbound Papers:

1767. Report of a committee upon the North Carolina act passed May, 1765, for establishing an orthodox clergy.

1768. Report of committee upon the memorial of Henry McCulloh, George Augustus Selwyn, and others, praying that a bond, given with respect to the quit rents in North Carolina on escheated lands surrendered, may be canceled and that the memorialists may be otherwise received (relieved?) in respect to their lands. February 1, 1768.

The English Pilot, the Fourth Book, describing the West India navigation from Hudson's Bay to the River Amazones . . . also a New Description of Newfoundland, New England, New York, East and West Jersey, Delaware Bay, Virginia, Maryland, and Carolina (London, MDCCLX).

A printed volume of maps and charts of the coast.

d. House of Lords.

1706. Feb. 28. Petition of Joseph Boone, merchant, in behalf of himself and others, etc. Printed in Col. Rec. I.

Mar. 2. Charles II.'s grant and (1) act for establishment of religious worship; (2) for more effectual preservation of the government, etc. Printed in Col. Rec. I and II.

Mar. 5. Petition from Lord Craven, asking that hearing of Boone's petition be deferred.

Mar. 9. Arguments of counsel for proprietors of Carolina. See Col. Rec. I. 635.

1730. May 12. Five papers relating to trade in rice from Carolina.

1741. March 5. Account of state of paper currency of North Carolina from the first emission of any bills of credit to 1740.

1742. February 18. Extract of letter from a captain just arrived from Carolina, relating to privateers cruising to intercept the trade.

Applications for convoy for ships trading to Carolina.

1766. Copy of letter from Mr. Houston, distributor of stamps for North Carolina, to Commissioners of Stamps. November 20, 1765.

1767. Copy of letter from Gov. Tryon to Secretary Conway, Brunswick, N. C., Aug. 2, 1766, enclosing Address of borough of Wilmington to Gov. Tryon, with his answer.

Address of mayor and gentlemen of Wilmington to Gov. Tryon, with his answer.

Some of these have been copied for the Library of Congress and some published.

e. Friends' Reference Library.

Devonshire House, 12 Bishopsgate, Without, E. C.

The Abram Rawlinson Barclay collection of MSS. contains some 250 letters dating from 1650 to 1690 and addressed to George Fox and others from Maryland, Carolina, and Barbadoes. The collection includes Archdale's letter to Fox dated North Carolina 25th of 1st month, 1686, which has been published by Hawks. There are possibly others from Carolina.

f. Royal Society.

The printed Philosophical Transactions of the Royal Society contain numerous references to the natural history of Carolina. That Society possesses also the original of Hilton's Report on his "Discovery in Florida," printed in part in Col. Rec. I.

g. Rawlinson Manuscripts, C.

No. 155, fo. 279. Act for enlisting trusty slaves in Carolina. 1708.

h. Clarendon Manuscripts.

C. 29. Copper plate. Virginia. Map of the Roanoke, Blackwater, and other rivers, and of Currituck Inlet. Dated March 6, 1727/28. Has on it figures of plants and animals. May have been cut to illustrate a portion of the boundary line between Virginia and North Carolina according to the Byrd survey.

C. 30. Copper plate. Virginia. Buildings. Probably in some town in Virginia or Carolina.

i. All Souls College Library, Oxford.

Printed copy of: The Information of Capt. Henry Wilkinson of what hath passed betwixt him and some other Persons, who have attempted to prevail with him to swear High Treason against the Earl of Shaftesbury (London, 1681).

Wilkinson was appointed by the Lords Proprietors governor of North Carolina in 1680. He was actually commissioned; one of his sons was named surveyor general, another register, a ship was hired, goods placed on board, his family, servants and other passengers with goods, utensils and baggage were ready to set sail, when he was arrested and the voyage given up.

So says Andrews; but Wilkinson's instructions were later sent to North Carolina, and on March 7, 1682-3, he was made a cacique, which would seem to indicate that his connection with the colony had not ceased.

D. Miscellaneous Documents in the Royal Institution of Great Britain and in the Roman and German Archives.

a. Royal Institution.

These manuscripts are, briefly, the headquarters papers of the successive British commanders in chief in the American War of Independence. They have been calendared by the English Historical Manuscripts Commission. The chief North Carolina papers, such as are not already printed in our Records (and few of these papers appear there), are noted as follows (for a fuller account of these particular papers and the exact reference to their location, see the printed Report of the English Historical Manuscripts Commission on this subject, 4 volumes, 1904-1909).

1774. Sept. 10, 14. Statement of account of John Collet with George Whiton for flagging stones for Ft. Johnston.

1775. July 4. Gov. Josiah Martin to Alexander McLeod on the rising of the Highlanders for the king. 3 pages.

Sept. 15. Earl of Dartmouth to Maj. Gen. Howe (Br.), enclosing extracts from Gov. Martin's letters of June 30 and July 6.

1776. Nov. 4. Gov. Josiah Martin to General Howe (Br.) on Maj. Alexander McLeod and Capt. William Campbell and the North Carolina Provincials.

1777. June 5. Alexander McLeod's account of his expenses for the public service (Br.) in North Carolina and for relief of distressed Highlanders, etc. 3 pages.

1778. April 6. Lt. Col. Thomas Brown to Gen. Patrick Tonyn on the North Carolina Provincials and the American invasion of Florida (many references to this subject, but scattered).

April 10. Lt. Col. Thomas Brown to Gen. Prevost, on same.

April 29. Col. J. DeBerniere to Lt. Gov. Henry Hamilton (of Canada) on his return to America, etc. (Col. DeBerniere later settled in North Carolina and was the grandfather of Prof. J. DeBerniere Hooper.)

May 16. Gov. Josiah Martin to Lords Commissioners of the Treasury on payment of the officers of the North Carolina Provincials.

June 3. Gov. Patrick Tonyn to Gen. Sir William Howe on Southern Indians, war on the Florida frontier, etc.

July 20. Carolina Royalists. Suggested organization, etc.

July 25. Gov. Patrick Tonyn to Gen. Sir Henry Clinton on Southern Indians, war on the Florida frontier, etc.

Aug. 6. John Robinson to Gen. Sir Henry Clinton, provisions and support of the North Carolina Provincial officers.

Aug. 25. Gen. Sir Henry Clinton to Brig. Gen. Prevost on the Carolina Loyalists.

1779. March 29. Lord George Germain to Gen. Sir Henry Clinton, introducing Capt. Alexander McLean of North Carolina, who is returning to New York from England with some recruits.

June 16. Maj. Gen. Prevost to Gen. Sir Henry Clinton on the North Carolina Volunteers.

July 14. Same to same on attack on Savannah by Americans. 3 pages.

Aug. 10. John Robinson to Gen. Sir Henry Clinton, enclosing Alexander McLeod's memorial to Lord North on his losses, etc. 5 pages.

Aug. 23. Stephen P. Adye to Col. Roger Morris, requesting that 13 persons lately exchanged and some time officers in the North Carolina Provincials be supplied with provisions.

Sept. 6. Maj. Gen. Aug. Prevost to Sir Henry Clinton on the Georgia campaigns.

Nov. 9. Gov. Josiah Martin to Col. Roger Morris, recommending the bearer, William Williamson, a North Carolina refugee, for rations.

November. William Williamson to Gen. Sir Henry Clinton. Memorial, reciting his work for the King in North Carolina. 2 pages.

1780. May 22. Gen. Sir Henry Clinton. Proclamation on South Carolina.

May 30. Lt. Col. Banastre Tarleton to Earl Cornwallis, dated at Wacsaw, May 29. Return of British and American casualties at the Wacsaw, enclosed by Earl Cornwallis to Sir Henry Clinton. 2 pages.

June 2. Earl Cornwallis to Gen. Sir Henry Clinton on casualties at the Wacsaw, May 29. 1 page (Buford's defeat).

June 3. Gen. Sir Henry Clinton to Earl Cornwallis on proposed small expedition to Cape Fear River.

June 22. G. Benson to Abner Nash, from Charleston. 1 page.

June 24. Robert McCulloh to Abner Nash, from Charleston. 1 page.

Aug. 16. Camden. Field return of the troops under Earl Cornwallis on the night of Aug. 15, 1780. Return of killed, wounded and missing and of prisoners taken. 3 pages (list of prisoners, apparently in part, printed in XV. 168-9 and XXII. 523).

Aug. 18. Return of killed and wounded under Lt. Col. Tarleton in the action at Catawba Fords; with return of prisoners. 2 pages. (Sumter's defeat.)

Sept. 2. Earl Cornwallis to Capt. Duncan McRae, authorizing him to embody Tories in Anson Co., N. C. 1 page.

Sept. 16. Earl Cornwallis to John Cruden, with commission for seizure, superintendence, custody and management of captured property. 6 pages.

Dec. 17. Lt. Col. Thomas Brown to Earl Cornwallis on Cherokees who have agreed to attack frontiers.

1781. Jan. 6. Earl Cornwallis to Sir Henry Clinton on his coming march into North Carolina. 3 pages.

Feb. 6. Lord Rawdon to Lt. Col. Balfour on Cornwallis's reported crossing of the Catawba and route of the Americans. 2 pages.

Feb. 7. Lord Rawdon to Lt. Col. Balfour on Greene's retreat towards the Moravian settlement.

Feb. 15. Lord Rawdon to Lt. Col. Balfour on movements of Lord Cornwallis in North Carolina.

March. Provincial troops. State of the men belonging to the corps of Guides and Pioneers under command of Lt. Angus McDonald from May 15, 1780, to March 5, 1781, when they were delivered to Lt. Ebenezer Brown at Hillsboro, N. C. 1 page.

March 13. John Robinson to Sir Henry Clinton on supplies for the Southern Army (Br.).

March 23. Lord Rawdon to Gen. Sir Henry Clinton, with some additional circumstances of the "most important victory" of Guilford Court House.

April 25. Appointment by Gov. Abner Nash of James Spicer to command the "Endeavour," a flag vessel for conveying British prisoners to Charleston. Newbern, N. C. 3 pages.

June 20. Deposition of James Spicer on seizure of the "Endeavour" on this date by the British. 3 pages.

Sept. 20. Maj. James Henry Craig to Duncan Rae (Ray), appointing him colonel of the loyal militia of the Highland District of Anson Co.

Nov. 7. Gov. Josiah Martin from London to ..... on North Carolina loyalists in 1776, their expenses, etc. 2 pages.

Nov. 13. Lt. Gen. Alexander Leslie to Lord George Germain on withdrawal of British troops from Wilmington, Greene's position, etc.

1782. Feb. 1. Gen. N. Greene to Lt. Gen. Leslie on execution of Hayne, on Gov. Burke, etc. 4 pages.

Feb. 9. Proposals on the exchange of Lt. Col. Archibald Lytle.

March 7. Gov. Josiah Martin to Welbore Ellis from London, recommending the regiment of Scotch Highland emigrants. Encloses return of officers nominated for the regiment of North Carolina Highlanders, showing their present situation and establishment. 6 pages and 1 page.

March 8. Neill MacArthur, captain North Carolina Highlanders, from Charlestown, with account of expenses of Loyalists in North Carolina in January, 1776, amounting to £484, 14s. sterling. 2 pages.

March 12. Lt. Gen. Alexander Leslie to Gen. Sir Henry Clinton on Greene's accession of North Carolina troops.

May 9. Same to same on same.

June 5. Lt. Gov. William Bull to Sir Guy Carleton, from Charleston, with memorial for loyal inhabitants of South and North Carolina.

June 24. North Carolina Independent Company, commanded by Eli Branson. Abstract of pay and subsistence from 1 April, 1781, to October 19, 202 days, £164, 19s. 4d. Certificate by J. Mallett. 1 page.

July 4. General Washington to Sir Guy Carleton, enclosing "List of persons, exiles from South Carolina [North Carolina?] now in Philadelphia, bound to Edenton, North Carolina, where they have relatives and friends now residing, and who will hold themselves in readiness to embark in a flag with their families, household goods, &c., &c."

July 13. Brook Watson to Maurice Morgann on Tories mentioned in the above item. Thinks part of them are to be taken on board at Edenton.

August 10. Lt. Gen. Alex Leslie to Sir Guy Carleton on sending the North Carolina and other loyalist regiments to East Florida.

August 17. George Cherry, agent victualler. Account of provisions for 10,000 in the Carolinas.

August 29. Paper giving a "Return of the Loyal Inhabitants within the British lines at Charles Town, South Carolina, who have given their names as intending to leave that province upon the evacuation of the garrison." Doubtless contains many North Carolinians.

Sept. 10. Sir Guy Carleton to Lt. Gen. Alex Leslie. Approves proposal to send North Carolina Volunteers and North Carolina Highlanders to St. Augustine.

Sept. 18. Sir Guy Carleton to Gov. Patrick Tonyn on same.

Oct. 3. Lt. Gen. Alex Leslie to Sir Guy Carleton on same.

Nov. 22. Muster Master General's Office. Charleston, S. C. Paper showing dates of musters of the Royal North Carolina Volunteers, etc.

N. D. [1782]. Neill McArthur to Sir Henry Clinton. Memorial on his service as captain of North Carolina Highlanders, provisions and arms furnished in 1776, etc.

1783. Jan. 9. Brig. Gen. Arch. McArthur to Sir Guy Carleton on rank of Lt. Col. John Hamilton; Carolina refugees, etc.

Jan. 12. Lt. Col. Thomas Brown to Sir Guy Carleton on Cherokee Indians.

Feb'y 17. John Hamilton to Sir Guy Carleton on condition of Loyalists from South Carolina, with request for aid.

March 3. Maj. Frederick Mackenzie to Gov. John Parr on Lt. Col. Hamilton and the Carolina refugees.

March 25. Maj. Gen. Robert Howe to Sir Guy Carleton on Mr. Livingston.

March 26. Gov. Alexander Martin. State of North Carolina. Certificate *re* flag granted by Abner Nash. [See Spicer, James, and the Endeavour.]

April 4. Sir Guy Carleton to Maj. Gen. Robert Howe on Livingston.

May 5. Eli Branson, Captain North Carolina Independent Company, to Dr. Wm. Brownjohn, recommending Henry Strader of North Carolina.

May 10. Lt. Col. John Hamilton to Brig. Gen. Arch. McArthur. Reports that the officers and soldiers of the North Carolina regiment are resolved to embark for some British settlement "however soon they may be ordered, either to Britain, Halifax, or the West Indies."

May 20. Brig. Gen. Archibald McArthur to Sir Guy Carleton on return of Major Manson to Britain.

May 22. John O'Halloran to Brig. Gen. Archibald McArthur on his shipwreck in the "Eliza" near Cape Fear.

June 25, 1782-June 24, 1783. Abstract of pay due the North Carolina Independent Company.

April 20, 1783-June 24. Same for North Carolina Volunteers doing duty with the New York Volunteers.

June 25, 1782-June 24, 1783. Account of 365 days pay for the North Carolina Volunteers doing duty with the New York Volunteers who were taken prisoners and since returned from captivity.

July 5. Brig. Gen. Archibald McArthur to Sir Guy Carleton on the Cherokees, etc.

Aug. 2. Lt. Col. Allan Stewart, North Carolina Highland Regiment, to Sir Guy Carleton on death of Col. Duncan Ray of the Loyal North Carolina militia and funds needed for expenses.

Aug. 4. Lt. Col. Allan Stewart to Major Mackenzie on same. "I learn 30 guineas will clear that as well as every other charge."

June 25-Aug. 24. Abstract of pay for North Carolina Volunteers doing duty with the New York Volunteers.

August. Warrant for £187 to Capt. William Gray, paymaster of the North Carolina Volunteers, being the pay due the officers and privates who were taken prisoners and since returned from captivity.

Sept. 7. Brig. Gen. Arch. McArthur to Sir Guy Carleton on desertions from the North Carolina regiment.

Sept. 12. Same to same on members of the North Carolina regiment who "are desirous of going to Britain."

Oct. 9. Lt. Col. Allan Stewart to Maj. Fred. Mackenzie on his service with the North Carolina Highland Regiment.

Aug. 25-Oct. 24. Abstract of pay for North Carolina Volunteers doing duty with the New York Volunteers. £42 3s. 10d.

Same for North Carolina Independent Company doing duty with the New York Volunteers. £65 1s. 4d.

b. Roman Archives.

Letter from London on sale of Carolina. May 28, 1728. Volume 1728-1740. England 3, f. 53.—See Fish's Guide, p. 187 (Carnegie Institution).

c. German Archives.

While Professor Learned has shown that there is a great mass of materials in the German State Archives relating to America, most relates to the nineteenth century and little goes back of the American Revolution. The following titles relating to North Carolina have been found (see Learned's Guide to German Archives, Carnegie Institution, 1912):

Papers relating to the Thuringian Company.

Die aus Thuringen auf die Englische Americanische Insul Carolina sich zu begebene gesonnene Hoch Teutsche Compagie btrf. 1706.

Documents relating to the plans and purposes of the Hochteutsche Compagnie von Langensalza, which is to go to America by way of England under the guidance of "eines grossen Quackers der einer der 8 Lords Proprietaires von der Province Carolina in America, und als erneuter Gouverneur dahin abseegeln wird."

Letters of Carl Christian Kirchner in London, dated March, 1706, relating to a report of Matthew Elliston and containing among other things the following: "Anfragen wegen Carolina so Ihrer Ezcell. John Archdale, Proprietor von Carolina unterthaenig uebergeben werden mit gehorsamster Bitte solche dergestallt zu beantworten, dass man sich darauff verlassen koenne" (58 questions in all. Are they the same as those asked by the Huguenots? p. 141).—Saxony, Dresden Archives, No. 2249—Learned, p. 296-7.

Various documents referring to the Thuringian Company which proposed settlement in Carolina, Feb. 12/23-July 24, 1706. 49 folios.

Paper relating to Matthew Elliston, with a list of 14 questions asking for information concerning Carolina and the plan of settlement by the Germans, and referring to the "Hochteitsche Compagnie."

Papers from Polycarp. Mich. Rechtenbach to John Archdale, Proprietor and governor of northern Carolina, Langen Salza, Feb. 22, 1705. (Saxony, Dresden Archives, No. 9905—Learned, p. 299).

Documents on Emigration:

Rescript of the Duke of Wuertemberg regulating emigration to Carolina and Pennsylvania, Sept. 8, 1717. Rescript shows that no particular effort had been made by the authorities to restrain emigration. Wuertemberg State Archives, vol. 2, p. 931.—Learned, p. 303.

Various letters and official documents on the emigration of Germans and Swiss to Pennsylvania and Carolina; orders of the burgomaster and council of Basil against emigration to Carolina, Apr. 20, 1735; letters from Pennsylvania to Basil with references to Carolina, etc., 1727-1737 (Baden, p. 236).

Documents on the Revolution and After:

Journal der Expedition auf Charlestown, in Süd Carolina under Commando Sr. Excell. General en Cheff Sir Henry Clinton, Dec. 18, 1779 (Marburg, p. 118).

Report of DuBuy from Cape Fear River, N. C., Apr. 24, 1781. (Marburg, pp. 115, 252.)

Letters and Papers of Henry Edmund von Lutterloh:

To the King on the treaty. Wilmington, "a l'America," Sept. 16, 1786, in French.

To Schulenburg, on same subject. Wilmington, Sept. 14, 1786.

Proposal for a "Handels Compagnie." Wilmington, Feb. 25, 1786, in German.

Three papers relating to his application for the position of consul general in America. Wilmington, Aug. 31, 1788, in French. See Learned's Report on German Archives, Prussia, p. 32, 33.

Papers of Schulenburg in relation to the Pro Memoria of Lutterloh touching European trade with America. Reasons why such commercial agreements cannot yet be made are given, among them the inability of Americans to pay. Berlin, Aug. 27, 1786 (Prussia, p. 38).

Verhandlungen des Arolser Kabinetts mit dem Major H. E. Lutterloh betr. Werbungen für das dritte Englisch—Waldeckische Sold—regiment, 1775-1776 (Marburg, p. 145).

II. NORTH CAROLINA MATERIALS IN GOVERNMENT ARCHIVES IN WASHINGTON.

An examination of the Archives of the Federal Government in Washington will bring to light much new material on various phases of this subject. Van Tyne & Leland's Guide (Carnegie Institution, 1907) suggests lines of investigation that the North Carolina scholar might profitably follow. A few of these only need be mentioned here. The account of the materials in the Library of Congress is based on a more or less detailed personal examination.

A. The Executive Offices.

State Department, Bureau of Rolls and Library.

In this Bureau there is a collection of material relating to the old Southwest Territory between the date of its cession to the United States and its organization as the State of Tennessee. It is more than likely that there is here material of interest and value to North Carolina.

Treasury Department.

This Department has the financial papers of the Revolution, including a list of Continental certificates of indebtedness under the act of July 4, 1783, giving names, certificate numbers, dates and amounts. There are over 90,000 entries. The Loan Office records begin with 1784, extend to over 500 volumes and include the records of the loan offices in the thirteen states, with ledgers, receipts, subscriptions of stock, journals, statements of stock, comprising the assumed state debts, etc.

Pension Office.

In the Pension Office there are to be found:

Private Journal of Captain Abraham Philips during the Revolutionary War (rejected file, 8,184).

Col. Guilford Dudley's declaration narrating Greene's campaign in North Carolina (widows' file, 8,681).

A "Journal of Occurrences," 1801-1807, some 45 pages of fragments dealing with the Indians, especially the Creeks and Cherokees. Said to be of no value.

The Revolutionary Records have been transferred to the Adjutant General's Office of the War Department. At least one roster of a North Carolina company has been recently found there.

B. The Library of Congress.

a. Original North Carolina Material.

Miscellaneous.

1. List of estimates of allowances due the members of the North Carolina assembly in 1756; instructions from the Provincial Congress to its delegates to the Continental Congress, 1776; letters and resolutions relating to the Constitutional Convention of 1788.
2. Papers of Spencer Compton, Earl of Wilmington. These papers, while of relatively little importance for North Carolina, cannot be neglected. In particular may be mentioned an A.L.S. of Gabriel Johnston to Lord Wilmington on public affairs, quit rents, blank patents, mulberries and silk. Edenton, Dec. 1, 1735 (4 p.). There are some other papers of perhaps slight importance *in re* land grants for baronies, etc.
3. Miscellaneous Letters: Thomas Burke to James Iredell, directing him to appear at court as Attorney General. A.L.S. July 30, 1781.

Abner Nash to Gen. Caswell on subsistence of troops. A.L.S. July 8, 1780.

Willie Jones to Gov. Burke, Aug. 15, 1781.

Lafayette to Burke, July 16, 1781.

Anthony Wayne to Burke, Sept. 3, 1781.

4. Collett's Anson County: Description / of / Anson County in North Carolina / By / J. A. Collett / 1769 /

Six small pages descriptive of the natural features of the county. Seems to have been edited by the person to whom Collett had made over 25,000 acres of land, divided into two tracts of 12,500 acres each.

5. McCulloh Papers (from the Collection of Sir Thomas Phillips). These papers bear on Henry McCulloh's appointment and duties in North Carolina. his lands, his relations to Lord Granville, to the Murray, Crymble and Huey grants, etc. They are all apparently unprinted and include:

Gov. Johnston to Wm. Adair, Edenton, Sept. 5, 1746.

John Rutherford to ..... Mar. 26, 1773.

Same to Wm. Adair, Wilmington, Dec. 9, 1769.

Wm. Adair to John Rutherford, Dec. 12, 1766.

Petition of John Rutherford to Commissioners of the Treasury, Oct. 24, 1750, etc.

The Greene Papers.

But of all the Revolutionary characters who played their part on the North Carolina stage, the most important from the standpoint of historical sources was Nathanael Greene. Some few of his letters have been printed in this series, but most are not as yet convenient to the local student, if printed at all. His correspondence and papers, though voluminous, are scattered. It has seemed proper, therefore, to give a short account of this scattered material.[1]

Of the Greene correspondence relating to the Southern Campaign of 1780-82, the Library of Congress contains:

Two volumes of the original letters and reports sent by Greene to the Continental Congress, Sept. 25, 1780, to Aug. 22, 1785 (in Cont. Cong. Papers, 155, vols. 1 and 2).

Two volumes of letters to the Continental Congress, being contemporary copies of the originals sent to the Congress made for the use of Congress and as a precaution against possible loss, Oct. 27, 1780, to Dec. 1783. Supposed to contain the same as the Cont. Cong. Papers, but sometimes a copy is found where there is no original, or an original without a copy.

There are 87 Greene letters in the Washington correspondence in the Library of Congress of which 3 have been printed in our Records; also some in the Force collection (but no North Carolina). There are also Greene letters, originals and copies, in the Sparks MSS. in the library of Harvard University; there are others among the Steuben papers in the New York Historical Society and in other depositories of Revolutionary correspondence. There are also miscellaneous Greene letters in other connections in the Library of Congress, but the most important of all these Greene Papers for North Carolina history are three of the original Letter Books of Greene: (1) Oct.-Dec., 1780; (2) Jan.-Feb., 1781; (3) Jan.-April, 1782. Of these, volumes 2 and 3 came to the Library with the Force collection; vol. 1 was recently purchased from Dodd, Mead & Co.

Vol. 3 contains a number of unprinted letters relating to North Carolina affairs and some that have been printed in the State Records. Volumes

[1]As this Historical Review is going through the press Mr. Marshall DeLancey Haywood is making for the use of the Federal Government a thorough survey of all sources of Revolutionary history that are to be found within the State.

1 and 2 are so distinctively North Carolina volumes that if printed entire little material would appear that is not germane to the State. It seems that practically all of these volumes are unprinted.

There are a number of returns of tents, camp equipage, riding horses, wagons and teams of the North Carolina Brigade, Jan. 24 to April 18, 1779, among the Greene correspondence in the Library of the American Philosophical Society of Philadelphia (see Calendar of Correspondence Relating to the American Revolution. Philadelphia, 1900). These were most probably the papers on which Dr. Charles Caldwell based his Life of Nathanael Greene, published in 1819 (Philadelphia). They fill 12 volumes and were selected and arranged in their present form by Col. Charles Pettit from the papers relating to the quartermaster's department in his possession after the Revolution.

The New York Public Library has an Order Book of Greene (1780); and two Letter Books, January 4 to February 29, 1781, and January 1 to April 8, 1782. These volumes are transcripts made about 1850 for George Bancroft. It is evident that they were made from the volumes in the Library of Congress that came to it with the Force collection.

The Life of Greene by Judge William Johnson is based on his private papers, as is that by his grandson, George Washington Greene. The third volume of the latter work is devoted to the Southern campaign of 1780-81. "In my first two volumes," says the author, "I have drawn freely from Gen. Greene's correspondence, inserting many letters entire, and giving copious extracts from others. But while I have still made this correspondence the basis of my third volume also, I have used it rather as the material from which my narrative was to be woven than as a narrative in itself."

This statement is true, the student who expects to find General Greene in the books printed about him will be to a great extent disappointed. As for the Life and Correspondence by Judge Johnson, the student can only wonder how it was possible for that author to spin out a tedious narrative through a thousand pages when he was literally surrounded and overwhelmed by the vivid and dramatic letters of the original actors.

An effort was made about the time of the Civil War to induce the United States to purchase and print the whole, but it failed. In the winter of 1893-94 an effort was made to secure their purchase by the State of Rhode Island.

According to an account then drawn up, the papers then contained some 1,900 letters written by Greene and nearly 2,500 written to him. His own letters were written to a large variety of correspondents, especially concerning the war in the South. The letters to him included 55 from Washington, 46 from Lafayette, 116 from Marion, 114 from Henry Lee, 67 from Col. Laurens, 63 from Col. Carrington, 57 from Col. Wadsworth, 57 from Sumter, 47 from Wayne, 43 from Otho H. Williams, 34 from Steuben, 34 from Robert Morris, 27 from Lincoln, 26 from Kosciusko, and smaller numbers from other Revolutionary generals, including Weedon, Pickens, Varnum, Gist, Knox, Wade Hampton, St. Clair, Count d'Estaing, Count Rochambeau. There were more than 200 from the governors of states, including many from the governors of the Southern States.

The price asked for the collection was more than the State of Rhode Island could be induced to pay, and it is understood that the whole mass of

Greene MSS. was sold to a dealer in autographs in New York City. In 1906 George H. Richmond, of New York City, printed a list of 114 "Letters by and to Gen. Nathanael Greene, with some to his wife," which covers in part his Southern campaign and shows the vast richness of this still unprinted mine of sources.[1]

The Continental Congress Papers and the Washington Correspondence.

Besides the Greene Papers mentioned above, there is considerable North Carolina material in the Papers of the Continental Congress. No. 72, devoted to the North and South Carolina State Papers, contains much material of an official character that was addressed by North Carolina officials to the Congress. The more valuable parts have been printed in this series already (some of it from the North Carolina Executive Letter Books), but it is believed that an exhaustive reëxamination of all this material would more than repay the State.

There are letters from Burke, Harnett, Caswell and Nash; also from Smallwood, Hand, Greene, Gates, Morgan and Robert Howe (35), of which 4 are printed in this series). There is also an Orderly Book of Gates, July-Oct., 1780,[2] but as the Gates Papers in the New York Historical Society were used in the compilation of this series (vol. 14) there is perhaps little Gates material of value not already printed.

The Washington Papers contain many North Carolina letters, including: the Chev. Armand (Marquis de Rouerie); Caswell (3); Davie (Dec. 3, 1778); Thomas Dockery (Richmond Co., May 25, 1797); Gates (8, one published); Greene (87, 3 published); Benj. Hawkins (1784-1798, 5); Richard Henderson (Bladensburgh, July 5, 1788); James Hogan (2, both published); Robert Howe (about 130, 3 published); James Iredell (Sept. 20, 1780); Daniel Morgan (Jan. 5, 9, 1780); A. Nash (4, one published); F. Nash (1, published).

Attention is called to the presence in this correspondence of about 130 letters from Major General Robert Howe, some of them autograph copies, and of 35 others in the Continental Congress Papers. Of these letters, only 7 seem to have been printed in this series. It may be objected that General Howe's work was on a larger stage than North Carolina. True, and General Howe was the only North Carolinian to attain to the rank of Major General in the Continental Army, the only one to be entrusted with grave responsibilities and to play his part upon the wider stage of the continent; therefore he is deserving of special consideration from his native state.

Papers relating to the Loyalists' Claims.

Among the most important is the original Report of the Commissioners to investigate the claims of Loyalists growing out of the American War. These Commissioners came to Canada, and between 1783 and 1789 met many Loyalists personally and secured their evidence.

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[1]See a detailed account of "The Papers of Major-Gen. Nathanael Greene" by Dr. J. Franklin Jameson, in Publications Rhode Island Historical Society, III. 159-167 (Oct., 1895).

[2]The New York Public Library has 250 Morgan Letters, collected by Theodorus Bailey Meyers; 145 autograph letters of Gen. Hand; some Gates Papers, but mainly private and post-Revolutionary; Gates's Letter Book, June 21, 1780-Oct. 7, 1781; his Orderly Book, 1778 and 1780.

There is here a vast amount of material of social and economic significance as well as of value for biography and genealogy. The whole was printed as the Report of the Bureau of Archives, Province of Ontario, for 1904 (pts. 1 and 2), being edited by Alexander Fraser (Toronto, 1905). The originals belong to the Smithsonian Collections. The claims of the North Carolina Tories, including:

Edmund Fanning,	Captain McNeill,
David Fanning,	John Blewer (Wilmington),
Samuel Campbell (Wilmington),	Dr. Robert Tucker,
Daniel Ray,	Henry Williams,
Alexander Martin,	Samuel Williams,
Martin Meagher,	David Harkey,
Joseph Mercer,	James Green, and
James Rogers.	Richard Wilson,

have been set out at considerable length, and there are many references to the civil war in the Upper Carolinas and to the participants on both sides.

There is also a series of volumes (1-56) dealing with American Loyalist Claims, 1783-1790, among the Treasury Papers, Audit Office (See Andrews' Guide). They represent the books and papers of the Commission of Enquiry into the Losses and Services of the American Loyalists held under Acts of Parliament of 23, 25, 26, 28 and 29, George III., and include applications, memorials, petitions, etc., of the distressed Americans taken by the Commissioners in London; also reports and determinations by the Commissioners.

They have been transcribed in 59 volumes for the New York Public Library under the title: American Loyalists—Transcript of the Manuscript Books and Papers of the Commission of Enquiring into the Losses and Services of the American Loyalists held under Acts of Parliament of 23, 25, 26, 28, and 29 of George III., preserved amongst the Audit Office Records in the Public Record Office of England, 1783-1790—Transcribed for the New York Public Library, 1898-1900.

The volumes that concern North Carolina are:

Vol. 26. South Carolina claimants.

Vol. 27. North Carolina, Rhode Island, Vermont and Virginia claimants.

Vol. 32. Determinations of North Carolina claims.

Vols. 47 and 48. Examinations in London of New York and North Carolina claimants.[1]

b. Transcripts from the British Public Record Office.

The following titles are arranged under the new designations now used in the B. P. R. O., with reference to the old. They have been compared with the published volumes of the Colonial Records, and it is believed that none have been printed except as indicated:

Colonial Office, Class 5.

V. 1. Petition of Proprietors to king against appointment of an attorney general for the king in their territory. Nov. 16, 1696—fo. 70.

[1]See Bulletin N. Y. Public Library, 1899, p. 416; 1900, p. 7, 388, and 1901, p. 315.

V. 5. P. Docminique and others to king on passing a law in North Carolina for a salary for the governor. Feb. 1, 1732/33.—fo. 1.

Number of fighting men in North Carolina, produce, ships trading to, etc., as reported by Governor Dinwiddie, Aug., 1743—fo. 200.

List of places in North Carolina at disposal of secretary of state—fo. 227.

V. 9. An Act Directing an Affirmation to such persons who for Conscience Sake cannot take an oath. c. 1712.

Edward Hyde to Lord Dartmouth, July 20, 1712, on his troubles in North Carolina.

Carteret, Ashley, Colleton and Dawson to Dartmouth, asking that Gov. Nicholson be ordered to inquire into and report on disorders in North Carolina. Dec. 3, 1712.

V. 13 (old A. W. I. 66). Gabriel Johnston to Duke of Bedford, July 15, 1749, on Palatines and death of Moseley—p. 295.

Same to same, received Nov. 2, 1749, on proclamation of peace and charges against himself. Last half of letter printed in C. R. 4. 919—p. 299.

Same to same, Dec. 21, 1749, on currency, etc.—p. 347.

Same to same, Mar. 12, 1749/50, on restitution of prizes taken by Spaniards after Aug. 9, 1748—p. 355.

Same to Holdernesse, Feb. 14, 1752, on his accession to office—p. 571.

V. 14. Gov. Glen to Gov. Dobbs, Charleston, March 13, 1754. on troubles with North Carolina officers over boundary, encroachment on Catawbas, dangers of Indian war, etc.—p. 303.

V. 15 (old A. W. I. 68). Arthur Dobbs to Sir Thomas Robinson, Feb. 8, 1755, on French war—p. 297.

V. 16 (old A. W. I. 69). Dobbs to Sir Thomas Robinson, Aug. 25, 1755, on French war and local defense—p. 355.

V. 17. Resolve of the Upper House to join with the Lower in making the usual provisions for the care of troops sent over for garrison duty—p. 723.

V. 19. Address of Governor Dobbs, Matthew Rowan, president, and Samuel Swann, speaker, Jan. 21, 1760, to king on victories of English arms—p. 411.

V. 43. Report on disposition made of confiscated property in North Carolina. c. 1780—fo. 502.

V. 54 (old A. W. I. 89). Dobbs to Gen. Sir Jeffrey Amherst in regard to North Carolina's share of the £50.000 given by Parliament to Virginia, North Carolina and South Carolina. Shows that between 1754 and 1758 North Carolina had raised £67,706 for war purposes, of which £38,000 went to aid of other colonies. Claims £15,000 as North Carolina's share of the gift of Parliament. Edenton, Dec. 16, 1758—p. 195-201.

Reply of Gen. Amherst to the above. Tells Dobbs that Virginia, North Carolina and South Carolina should come to a common understanding as to their claims in advance. New York, Feb. 14, 1759.

V. 57 (old A. W. I. 92). Maj. Gen. Amherst to Gov. Dobbs on Cherokee troubles, etc. New York, Mar. 1, 1760—p. 419.

V. 58 (old A. W. I. 93). Gov. Dobbs to Gen. Sir Jeffrey Amherst on calling Assembly to raise troops for French war. Brunswick, April 30, 1760—p. 165.

Gen. Amherst's reply. New York, April 27, 1760—p. 167.

Dobbs to Maj. Gen. Stanwix on raising North Carolina regiment for French War. Newbern, April 24, 1760—p. 518.

Brig. Gen. Robert Monckton to Dobbs on same. Philadelphia, May 22, 1760.

Gen. Amherst to Dobbs on same. Albany, May 28, 1760—p. 525.

V. 59 (old A. W. I. 94). Dobbs to Amherst on danger from Southern Indians. Brunswick, Aug. 2, 1760—p. 497.

Amherst to Dobbs in reply to same. Albany, Nov. 3, 1760.

V. 62 (old A. W. I. 97). Dobbs to Sir Jeffrey Amherst on refusal of North Carolina assembly to provide for raising men for the coming campaign. Wilmington, April 30, 1762.

Amherst's answer to same. New York, May 23, 1762.

Extract from letter of Dobbs to Amherst, reporting 100 men enlisted for French war. Brunswick, June 9, 1762.

Amherst's reply to same. New York, July 2, 1762—fos. 217-222.

V. 67. Talk from Cherokees to John Stuart. Aug. 22, 1766.

Report on Admiralty courts in North Carolina. 30 April, 1767.

Talk of John Stuart to Cherokees, Feb. 1, 1766. Same, May 8, 1766.

Letter of John Stuart to Lt. Gov. Bull, dated Charleston, S. C., July 1, 1766, on Cherokees.

Letter of John Stuart to H. S. Conway, Charleston, Oct. 8, 1766, on Cherokees.

Recommendation for the establishment of a vice-admiralty court to include North Carolina, 1764.

V. 75 (old A. W. I. 278). Gov. Martin to John Stuart, July 21, 1774, on uneasiness of the Cherokees and prospects of general Indian war (extract), p. 387.

V. 79. Joseph Martin to Col. John Stuart, dated Chota, Cherokee Nation, Feb. 20, 1778, p. 279.

V. 82. William Franklin to Gov. Martin, New York, Jan. 9, 1781, on his appointment as a member of the Board on the Employment of Loyalists in North America—p. 67.

V. 89 (old A. W. I. 127). Gen. Thomas Gage to Earl Hillsborough on artillery furnished Gov. Tryon for use against Regulators. New York, May 7, 1771—p. 203.

V. 92 (old A. W. I. 130). Dartmouth to Gage on giving help to Gov. Martin and causes for encouragement government is receiving from Rowan, Dobbs and Surry counties. Whitehall, May 3, 1775—p. 245.

Long letter from Lord Dartmouth to Sir William Howe on proposed expedition to Cape Fear to conquer Southern provinces. Whitehall, Oct. 22, 1775—p. 539.

Long letter from Lord George Germain to Sir Henry Clinton, instructing him to take command of forces sent to Cape Fear for conquest of the South, together with suggestions as to his movements. Whitehall, Nov. 25, 1775—p. 759.

Letter from Germain to Lord Cornwallis, instructing him to take immediate command of the troops intended for conquest of the South. Whitehall, Dec. 6, 1775—p. 775.

V. 93. "A narrative of the Proceedings of a Body of Loyalists in North Carolina"—apparently to General Howe and forwarded by him April 25, 1776. Unsigned, but endorsed as received from General [*sic*] March 24, 1776. A 12-p. circumstantial account of the Moore's Creek campaign, written by a Loyalist.—p. 287.

Gov. Martin to Gen. Clinton on the situation in North Carolina and the effects of the defeat at Moore's Creek. Snow Peggy in Cape Fear River, March 20, 1776.—p. 297.

V. 119. Martin to Geo. B. Rodney, Dec. 13, 1771, on detention of North Carolina vessel at Vera Cruz—fo. 42 c. Other materials are to be found on this case (that of the *John & Elizabeth*) in fo. 69 c, including letters of Benj. Rose to his wife and of Ichabod Simpson to Andrew Black.

V. 134. James Iredell to Henry Eustace McCulloh, Edenton, Nov. 1, 1775, on the August convention, militia, issue of paper money and its redemption; independence (much against it), free trade and Gov. Martin—fo. 21 g.

P[enelope] Dawson to Mrs. William Lee, Edenton, Nov. 2, 1775, on skirmish at Hampton—fo. 21 h.

V. 154 (old S. P. Dom. George III. 10). Imports from North Carolina into Jamaica, 1776. Same from Jamaica to North Carolina.

V. 154. Hillsborough to Lt. Gen. Gage, Whitehall, 17 July, 1772, introducing Capt. Collett of North Carolina. Same to Tryon. Same to Lord Charles G. Montagu and to Gov. Martin.

Report on movements of Gov. Martin, by the *Richmond*, Capt. Patterson, arrived in the Clyde, July 15, 1775.

Letter of Edmund Fanning to John Pownall, New York, 10 Sept., 1775, asking for salary and referring to his North Carolina life.

Henry Kelly to Lord George Germain, April 4, 1776, with plan to seduce Gen. Robert Howe from the American service.

Long letter from Samuel Cornell to Elias DeBrosses, in New York, dated June 6, 1771, and dealing with the defeat at Alamance. A most interesting and vivid description of the preliminaries of the battle by an eyewitness and participant.

Hillsborough to Martin, introducing Capt. Collett. July 17, 1772—fo. 26.

V. 155 (old S. P. Dom. Geo. III. 16). Col. George Mercer to Lord Germain on increase in his salary as Lieut. Gov. Paris, June 12, 1777—No. 40.

V. 156 (old S. P. Dom. George III. 17). Letters of Neil Snodgrass, Mar. 12, May 13, 1779, offering to return to North Carolina in service of British Government.

V. 159. J. Pownall to Richard Jackson, Apr. 22, 1774, on North Carolina Attachment Law—fo. 133.

Thurlow and Wedderburn to Dartmouth, June 1, 1775, with formal proclamation of pardon by the king for the Regulators, except Herman Husband—fo. 134.

V. 161 (old S. P. Dom. George III. 8, etc.). Letter from Dartmouth to Master General of Ordnance, Sept. 12, 1775, ordering that 10,000 stand of arms and 200 rounds of ammunition be sent to loyalists in North Carolina—fo. 99.

There was sent Oct. 5 by the Russian merchant, 6 medium six-pounders, 5,000 stand of arms—f. 107d., 500 bbls. powder put on board at Portsmouth, Oct. 14, 5,000 stand of arms and ammunition shipped by the Hope.

c. Transcripts from the British Museum.

Lansdowne Manuscripts.

No. 846. Observations in relation to the power lodged in the Lord High Treasurer, as it concerns the office and officers in America, submitted by Henry McCulloh of North and South Carolina, commissioner of quit

rents, regarding the support that he should receive from the Lords of the Treasury in his work as commissioner of quit rents—fo. 187.

Communication is undated; warrant for commission issued May 16, 1739.

1215. Abstract of his Majesty's quit rents in North Carolina, received by Eleazar Allen, from September 29, 1729, to March 25, 1742—fo. 163.

Seems to include and continue the list printed in S. R. XXII. 240-260.

King's Manuscripts.

No. 206. Tryon to Earl Shelburne, transmitting reports on methods of granting land, collecting quit rents, etc. The correspondence is printed in Col. Rec. VII. 511-514, and the reports mentioned on p. 513 may be found in these transcripts. Very important. See the letter of John Rutherford (fo. 103) to Tryon, on which his summary No. 3 (Col. Rec. VII, p. 513) is based—fo. 95-103.

Tryon to Shelburne, July 21, 1767, with list of fees received March 28, 1765, to June 30, 1767—fo. 238.

Egerton Manuscripts.

No. 2395. Proposals in order to improvement of the county of Albemarle in Carolina in point of towns, trade, and coin. By George Milner, n. d.—12 ms. pp., fo. 661.

A plea for closer settlement, use of wampum and peage, markets and towns.

No. 2423. "Journal by a Lady (of Quality)" of a Voyage from Scotland to the West Indies and North Carolina, with an account of personal experiences in America during the year 1775 and a visit to Lisbon on her return. Oct. 25, 1774-December, 1775.

As will appear later the author of this Journal was Miss Jen. (Jennie?) Schaw.

The voyage covers St. Johns, Antigua, St. Kitts, St. Eustatia and North Carolina.

The North Carolina visit included Wilmington, Brunswick, Point Pleasant, Shawfield (16 miles above Wilmington on N. W. Branch) and various other points on the Cape Fear. In alertness, quickness of comprehension, vivacity and vividness of detail I know nothing in North Carolina history at all comparable to this journal, except Lawson's Journal of a Thousand Miles Travel.

This young lady came out with the daughters of Col. John Rutherford, and it was perhaps her intention to remain, had it not been for the political troubles of the time, on the British side of which she gives us some sidelights. She had a brother living in the colony whom she calls Bob and who was then a Tory. Another brother returned to England with despatches. She speaks of a certain botanist, a scientist of European reputation, "Poor H——," as then living on the Cape Fear. She was very fond of Archibald Neilson, who accompanied her on the return trip to Europe; speaks very highly of Gen. James Moore, prophesies that he would give much trouble to the British, but did not think so well of Gen. Robert Howe,—"Bob Howe," as he is called here—"brother-in-law of Mrs. S."—"this gentleman has the worst character * * * He is deemed a horrid animal, a sort of woman-eater that devours everything that comes in his way."

The North Carolina part covers the whole of her continental journey and extends to about 20,000 words.

The internal evidence in this Journal, together with the known history of the family in North Carolina, shows her to have been the sister of Alexander Schaw, who went to England in 1775 with despatches for Governor Martin; sailing in the ship on which his sister returned. It is probable also that the "Bob" mentioned in the Journal is Robert Schaw, mentioned in the Records as early as 1757. He was a J. P. for Bladen in 1764, for New Hanover in 1768, and for Brunswick in 1776. He was a lieutenant colonel against the Regulators in 1768; in 1771 was colonel of artillery in Waddell's army, and in June

of that year was president of one of the courtsmartial which under form of law allowed Tryon to glut his vengeance on the now defenceless Regulators. He seems to have taken no active part in the Revolution, but such evidence as exists shows him on the side of the patriots. He died prior to 1786.

In their Catalogue No. 261, published in January, 1904, William George's Sons, Booksellers, of Bristol, offer a MS. and add the bibliographical note reproduced below, but all references in this note to Georgia must be changed to North Carolina, for this ship touched at no continental ports except those on the Cape Fear. The description and note of Messrs. George follow:

"1382 SCHAW (Jen.). 'The following Letters are Dedicated to Alex. Schaw, the Brother, Friend and fellow traveler of the Author, his truly affect. Jen. Schaw. St. Andrews Square, Mar. 10, 1778.' Being about four hundred and fifty pages, narrating a visit to the West Indies and North America in 1774-5, *clearly written (spelling erratic)*. 2 vols. 4°, *calf, £10 10s.*

"Commences 'Burnt Island Road, on Board the Jamaica Packet'—'nothing can be less Cleanly than our Cabin, unless it be its Commander and his friend and bedfellow the Supercargo.' 'I will not fail to write whatever will Amuse myself.' A rough voyage out, with Scotch emigrants: vessel dismasted; landed at St. John's, Antigua: many walks in and long account of that Island. 'We have seen every Person of fashion, our Toilet is loaded with Cards of invitation.' The women of Antigua are marvels—'I could discover no one indulgence in which they allow themselves, not even in Scandal.' *About 70 pages on Antigua.* Stayed at St. Kitts (Basseterre) some time. Apparently at Brunswick, Georgia [N. C.], the writer was not impressed by the fort—'I will be bound to take this Fort with one Regt. of Edinburgh blackguard Boys, without any Artillery, but their own Pop Guns.' 'I think I have read all the descriptions that have been published of America, yet meet every moment with something I never Read or heard of.' Long account of wanderings in Georgia. [N. C.] 'The Ladies have burnt their Tea in a Solemn Procession (1775).' A good many references of the state of political feeling at the time. Visited 'Willming Town'; account of an attempted insurrection there. Very glad to leave on account of the Anti-British feeling. Then to Lisbon: many amusing notes of experiences there.

"This journal is of some considerable value, as containing the daily record of an Englishman's impressions in Georgia and N. Carolina at the period of the Revolution: in spite of the bad spelling, the author evidently had good introductions, and his style is very readable."[1]

Sloane Manuscripts.

No. 3861. "King of England's Territories in America." Paragraphs on Carolina, Virginia, etc., early, topographical.—ffo. 67-62 (reversing the volume).

No. 4063. Letter of John Lawson from Bath County on Pampticough River, N. C., April 12, 1701—fo. 79.

This letter is on natural history collecting, and would indicate that Lawson was sent to Carolina by Sir Hans Sloane and others for the purpose of collecting natural history materials. He adds: "My journal of my voyage through Carolina I shall send to you with the rest."

[1]Messrs. George inform me that this ms. was sold to Vere Langford Oliver, Esq., the author of a 3-volume folio History of the Island of Antigua (London: Mitchell & Hughes, 1894-99). Under date of Nov. 14, 1913, Mr. Oliver writes me from Whitmore Lodge, Sunninghill, Berks: "Yesterday I went to the British Museum and looked at 'Egerton 2423.' . . This is a 4° volume labelled on the back: 'Travels in W. Indies and S. Carolina 1774, '75.' It begins 'Burnt Island Road on board the Jamaica Packet 9 o'clock Evening 25th Octr 1774,' and contains 353 pages or 177 folios. My copy consists of two 4° vols. in the original binding with 219 pages in vol. I and 228 pages in vol. II and is in the same handwriting as the Brit. Mus. copy, and it is apparently word for word identical. There may be a few minor differences. . . It is rather disappointing to discover that the two books are identical, and it is impossible to say without further careful examination which is the original. In fact they are, I think, both of the same date, and clear copies of Miss Schaw's original notes."

No. 4064. Four letters from John Lawson dated as follows:

Portsmouth [Eng.], 9 of 11th mo., 1709, [on medicine and Palatines.]—fo. 214.

Neus River, N. C. Dec. 30, 1710, to Sir Hans Sloane: on natural history collections; Palatines; promises diary from Jan. 1, 1711; promises a more detailed survey of plants, beasts, birds, fishes, insects, fossils, soils, lands and agriculture—fo. 249.

Virginia, July 24, 1711. To Mr. Pettiver on his natural history collections—fo. 271.

Letter from Charles Bernard, London, June 22, 1711, inclosing letter of Lawson (fo. 249) on natural history collections, etc.—fo. 267.

No. 4067, fo. 10. Letter from John Lawson to James Pettiver, March 1, 1709/10 on natural history matters. See Monthly Mercury, Nov., Dec. and Jan., 1709/10.

Additional Charters.

No. 5976. Papers relating to settlement of estate of Robert Halton (d. April 15, 1749), from Gov. Johnston and William Mearns, with letter of attorney from James Craven, administrator, to Thomas Child, Nov. 1, 1751.

Additional Manuscripts.

No. 6194. Memorandum of a brief description of Carolina. 1660.—Horne's Description, 1666. See Col. Rec., I. 155—fo. 59b.

No. 11514. Essay on Trade in America. To the Right Honorable Earl of Halifax. Signed Henry McCulloh, dated London, December 10, 1756.

McCulloh was Commissioner of quit rents in the Carolinas. See the Index.

No. 15903. Report relative to the English discoveries in Carolina and Florida. 1687—fo. 116.

This is a compilation by Edward Billing, giving some account of the attempted settlement by Lord Maltravers about 1638.

No. 17476. Extracts from McGee's (or Gee's) Trade and Navigation of Great Britain on natural resources of Carolina. p. 12-25, 30, 32, etc.

There are also similar extracts from Lawson and Archdale.

No. 22129. List of North Carolina civil officers. Later than 1771, c. 1780 (?). Gives George Mercer as Lt. Gov—fo. 13.

No. 32686-33057. Various letters addressed to the Duke of Newcastle (in the Newcastle Papers, 32686-33057) from or concerning North Carolina:

32718, fo. 51. 1749. Dobbs to A. Stone on Hudson's Bay.

32730, fo. 301. Dobbs to Newcastle, Nov. 27, 1752, on his appointment as governor of North Carolina.

32711, ffo. 364. Johnston to J. Courand, Apr. 3, 1747, on appointment of Benj. Wheatley as naval officer.

32731, ffo. 177, 338, 410. H. McCulloh to Newcastle; see also 32732, fo. 86; 32862, fo. 394.

32863, fo. 316, on arrears of pay.

32864, fo. 536, May 1, 1756.

32866, ffo. 156, 357, July 13 and Aug. 3, 1756.

32874, fo. 308, Sept. 26, 1757.

Copies of most of the above are in L. C.

No. 32693. Letter from Lord Carteret to the Duke of Newcastle regarding his proprietary rights in Carolina. Arlington St., Jan. 25, 1739/40—fo. 37.

Gives history of the case; asks that his ⅛ be set off and joined to Virginia.

No. 32715. Complaints against Gov. Gabriel Johnston, 1748—fo. 170. Observations on the colony of North Carolina, 1748, and attack on Gov. Johnston—fo. 172.

No. 32715. Observations on the Colony of North Carolina, together with the conduct of the present governor. By Corbin Morris, *c.* 1748—fo. 172.

No. 33028. Account of the number of ships entering in and clearing out from the several ports in North Carolina for the years 1739 and 1745—fo. 400.

No. 33029. "Plea for the protection of Carolina and Georgia and for conquest of Louisiana." 1756—fo. 357.

No. 33030. Henry McCulloh asks appointment as naval officer in North Carolina. *c.* 1745 (?)—fo. 356.

An account of the number of ships arriving in North Carolina, fees, ports, etc., n. d., no name (by McCulloh?).

No. 33056. Appointment of William Tryon as Governor of North Carolina from July 19, 1765, and warrant for salary, March 24, 1766—ffo. 54, 202.

No. 35907 (Hardwick Papers). General account of Carolina boundaries, etc., prior to 1728, unimportant—fo. 22.

No. 35908. Copy of petition from the Proprietors of Carolina on collecting quit rents, establishing a land register, etc. St. James, June 14, 1726—fo. 156.

Popple to Yorke, regarding grants by Proprietors in Carolina. June 5, 1730—fo. 241.

Popple to Yorke, regarding surrender of Carolina by the Proprietors and the effect of the act of Parliament giving validity to the surrender on a certain Carolina case. June 30, 1732—fo. 264.

No. 35910. Papers relating to Stamp Act, particularly the proposals by Henry McCulloh, Oct. 10, Nov. 8, 1763, etc.—ffo. 136-205, 310-323.

There is also other material on McCulloh's relation to the Stamp Act which has for North Carolina a biographical interest only, as Mr. W. A. Shaw in his introduction to McCulloh's "Miscellaneous Representations relative to our Concerns in America," 1761, reprinted 1905, claims that McCulloh was solely responsible for the proposal to tax the colonies.

No. 36129. Commission of George Burrington as governor of North Carolina, Jan. 28, 1729/30—fo. 6.

Rawlinson Manuscripts, A.

These manuscripts include various papers on Dr. Daniel Coxe's claim to Carolina. See No. 271, fo. 26.

No. 312. Letter from Henry Brabant to Mr. Rod. Mackenzie at the African House in Edinburgh, Aug. 3, 1699—fo. 2.

Brabant was to embark for Jamaica and thence proceed to North Carolina, "of which province I am constituted comptroller of his Maj. Customs." To be addressed either in Jamaica or "at the customhouse on Currotuck River in North Carolina."

Rawlinson Manuscripts, B.

No. 243. "Points of enquiry concerning Carolina. Humbly offered to his excellency, John Archdale, proprietor of Carolina, dutyfully craving such answers as may be depended on." 1705—ffo. 12-14 b.

Two hundred and twenty-eight queries of every description, but no answers. They were put by a body of Lutheran settlers intending to go to Carolina. These queries were probably the basis for Archdale's Description of Carolina, published in 1707, and republished in Carroll's Collections. I venture to suggest that the original of the answers to these queries may be the Archdale manuscript owned by the late Charles Roberts of Philadelphia and now presumed to be in the Friends' Library at 142 North Sixteenth Street, Philadelphia, Pa. (See Reports Amer. Hist. Asso., 1904, p. 678; see also my Southern Quakers and Slavery, p. 351, and this paper, Chapter III, D. German Archives). If this supposition is correct, the answers have but slight historical value. Accompanying these Queries is "A Draft of ye Forts of Carolina."

No. 376. Bond of John Urmston, given to the Bishop of London to go to Virginia to serve as chaplain there. June 25, 1722—fo. 286.

d. The Stevens Facsimiles and the Stevens Index.

Stevens Facsimiles.

The Stevens "Facsimiles of Manuscripts in European Archives Relating to America, 1773-1783," with descriptions, editorial notes, collations, references and translations, with a printed index (1898), contains some North Carolina material, although of perhaps relatively slight importance.

In this may be noted:

No. 872. Garnier to Comte de Vergennes on defeat of Tories at Moore's Creek.

No. 1238. Proclamation of Commodore Hyde Parker and Lt. Col. Archibald Campbell to the people of North and South Carolina and Georgia, Jan. 4, 1779.

No. 1239. Oath to be taken by Loyalists.

No. 1616. Chevalier de Fleury's Report on the Situation in America, Nov. 16, 1779.

Stevens Index.

Of more importance to North Carolina than the Facsimiles is the Stevens "Catalogue Index of Manuscripts in Archives of England, France, Holland and Spain relating to America, 1763-1783."

This is a manuscript work and appears in three forms:

Catalogue arrangement, bound in 50 vols.

Chronological arrangement, 100 vols.

Alphabetical arrangement, 30 vols.

It contains references to much North Carolina material. A part of this, as the assembly and council journals, has been printed and a small amount is included in the Transcripts, but most of it has been neither copied nor printed. See, for example, letters of Josiah Martin there mentioned; the references under Lands and also the entries under C. O. 5, v. 93, *ante*. Some Cornwallis material on the Guilford Court House battle is also mentioned, including list of wounded left, number of wounded made prisoners, articles received for prisoners and list of men who died there.

III. NORTH CAROLINA MATERIALS IN THE VIRGINIA STATE LIBRARY.

The greater part of this material is in the form of full copies or copious abstracts made at different times for the State of Virginia from the originals, many of which are preserved in the British P. R. O. See, in particular, C. O. 5, Nos. 1305-1446. The references to North Carolina are in many cases incidental, but still of sufficient importance to commend examination and consideration.

The Virginia State Library published in 1905 as the annual Report of the Department of Archives and History a Calendar of these Transcripts.

It has seemed desirable to present in the briefest possible form a list of these documents which promise North Carolina material and which seem not to have been printed in our Colonial Records. The Virginia arrangement has been retained here. It is also possible that many of these items have been copied for the Library of Congress.

A. *Sainsbury Abstracts, II. 1624-1714.*

1698-9. Feb. 27. Gov. Nicholson to Board of Trade on settling bounds with North Carolina.

1700. Jan. 27. William Popple sends by order Board of Trade commission to Gov. Nicholson for trying pirates in Virginia, North and South Carolina.

Sainsbury Abstracts, III. 1715-1720.

1715. Aug. 30. Journal Board of Trade on assistance rendered Carolina by Virginia forces.

1715. Sept. 16. Same to Secretary Stanhope on Indian affairs in Carolina.

1716. Aug. 17. William Popple to Richard Shelton on Gov. Spotswood's complaints against Carolina.

1716. Dec. 5. Committee of Carolina Assembly to the agents on Indian affairs.

1717. June 27, 28. Journal Board of Trade on Carolina and Virginia.

1717. Aug. 29. William Popple to Richard Shelton on Virginia and North Carolina boundary line.

1717. Aug. 29, 30. Journal Board of Trade on same.

1717. Aug. 30. Board of Trade to Gov. Spotswood on same.

Sainsbury Abstracts, IV. 1640-1691.

1690. July 19. Philip Ludwell to Gov. Nicholson on behavior of John Gibbs in North Carolina.

1691. Nov. 6. Col. Thomas Milner to Gov. Nicholson on North Carolina line.

Sainsbury Abstracts, V. 1691-1697.

1691-2. Feb. Petition of Proprietors of Carolina to Committee on Plantations in regard to boundaries of Carolina and Virginia.

1691-2. Mar. Report of Thomas Milner to Governor and Council of Virginia on North Carolina line.

1696. June 18. Petition of William Bowtell and Thomas Wenborne to Virginia council in regard to estate of Seth Sothell, who died indebted to them and whose estate is now in hands of John Lear.

1696-7. Feb. 25. Commissioners of Customs to Board of Trade, recommending persons for judge, etc., of admiralty court of Virginia and North Carolina.

Sainsbury Abstracts, VII. 1705-1707.

1705. Apr. 20. Circular letter from Board of Trade to Governor of Virginia with commission to try pirates in Virginia and North Carolina.

1706. Nov. 8. Jenings to Board of Trade on lands claimed by North Carolina.

1707. Mar. 26. Board of Trade to Virginia President and Council on North Carolina boundary.

Sainsbury Abstracts, VIII. 1706-1712.

1708. June 24. Jenings to Board of Trade on encroachments by Carolina.

1708. Nov. 10. Board of Trade to Proprietors of Carolina on interruption of Virginia trade with western Indians.

1708-9. Jan. 5, 7. Journal Board of Trade on North Carolina boundary.

1708-9. Jan. 7. Board of Trade to Queen on same.

1708-9. Jan. 12. Board of Trade to Jenings on same.

1708-9. Jan. 24, 27. Board of Trade to Proprietors of Carolina on same.

1708-9. Feb. 2. Same to same on Virginia Indian trade.

1708-9. Mar. 7. Proprietors of Carolina to Board of Trade on North Carolina boundary.

1708-9. Mar. 11, 14. Journal Board of Trade on same.

1709. July 27. Board of Trade to Jenings on North Carolina boundary and debtor act.

1709. Oct. 8. Jenings to Board of Trade on North Carolina boundary and removals to North Carolina.

1709-10. Jan. 19. Board of Trade to Jenings on Carolina duties and boundary.

1710. Apr. 4 and June 10. Jenings to Board of Trade on same.

1710. Aug. 28. Board of Trade to Spotswood on Carolina troubles.

1710. Dec. 15. Spotswood to Board of Trade on same.

1711. Nov. 29. Board of Trade to Dartmouth on North Carolina Indians.

1711. Nov. 29. Journal Board of Trade on Indian massacres in North Carolina.

1711. Dec. 4. Proprietors of Carolina to Board of Trade on Indian massacre.

1711. Dec. 6. Board of Trade to Proprietors on same.

1711-12. Feb. 1. Same to Governor Spotswood on Carolina disputes.

1711-12. Feb. 8. Spotswood to Board of Trade on Carolina disputes, proposed removal of DeGraffenried's Palatines to Virginia and the necessity of coöperation for defense between Maryland, Virginia and Carolina.

1712. Dec. 11. Journal Board of Trade on DeGraffenried's removal.
1712. Dec. 19. Board of Trade to Queen on North Carolina boundary.
1712-13. Jan. 8. Order in Council on commissioners to settle boundary with Carolina.
1712-13. Feb. 4. Journal Board of Trade on Virginia's assistance to North Carolina.
1712-13. Feb. 5. Same, with letter to Proprietors on assistance against Indians.
1712-13. Feb. 5. Board of Trade to Proprietors, with extracts from Spotswood's letter in regard to Indians.
1712-13. Feb. 11. Spotswood to Dartmouth on miseries and distractions in North Carolina.
1712-13. Feb. 26, 27. Journal Board of Trade, with Spotswood's letter on Indian massacres in North Carolina.
1712-13. Feb. 27. Board of Trade to Proprietors on Spotswood's letter on trade with Indians.
1713. Apr. 23. Same to Spotswood on boundary and disorders in Carolina.
1713. July 20. Same to same, commending his charitable treatment of the Carolinians in their distress.
1713. Sept. 14. Spotswood to Board of Trade on dispersing of the Tuscaroras.

Sainsbury Abstracts, IX. 1720-1730.

1723. June 29. Lt. Gov. Drysdale to Board of Trade on North Carolina boundary.
1723. Nov. 12. Journal Board of Trade on same.
1723. Nov. 12. Alured Popple to Richard Shelton on same.
1724. May 19. Board of Trade to Drysdale on same.
1724. July 10. Drysdale to Board of Trade on same.
1725. May 31. Same to same on same.
1725. Aug. 26. Journal Board of Trade on same.
1726. June 22, 23. Same from same on same.
1726. June 30. Board of Trade to Drysdale on same.
1726. July 5, Aug. 31. Journal Board of Trade on same.
1726. Aug. 31. Board of Trade to King, asking order on same.
1727. May 4. Journal Board of Trade. Order in Council on same.
1727. Sept. 21. Lt. Gov. Gooch to Board of Trade on appointment of Wm. Byrd and Nath. Harrison as boundary commissioners.
1727-8. Feb. 12. Same to same on same.
1727-8. Feb. 14. Same to Newcastle on same.
1729. March 26. Same to Board of Trade on same.
1729. Aug. 26, Nov. 6. Journal Board of Trade. Warrants to be sent with new seals to Barbadoes, Jamaica, Virginia and Carolina. Letters transmitting same.

Sainsbury Abstracts, X. 1573-1618.

Many documents relating to the movements which preceded the expeditions of Raleigh, 1584-91.

Sainsbury Abstracts, XVII. 1677-1679.

1677. Oct. 9. Petition of Sarah, widow of William Drummond.
1677. Oct. 9, 10. Minutes of committee of Trade and Plantations in regard to this petition.

1677. Oct. 10. Report of committee of Trade and Plantations to King on same.
1677. Oct. 10. Petition of Sarah Drummond.
1677. Oct. 13. Sir Robert Southwell to Sir John Berry on same.
1677. Oct. ? Petition of Sarah Drummond to King.
1677. Oct. 19, Nov. 2. Order of Privy Council in regard to Sarah Drummond's petition.
1678. June 8. Orders of the General Court in regard to Sarah Drummond.
1678. July. Petition of Sarah Drummond to Governor and Council.
1678. July 8. Sarah Drummond to Colonel Moryson.
1678. Sept. 18. Colonel Moryson to Mr. Blathwayt in regard to Mrs. Drummond's case.

See also the McDonald Papers, vols. 1 and 5, for some of these Drummond documents in full and also for Sir John Berry's letter to Sir Robert Southwell on same (Oct., 1677).

B. *De Jarnette Transcripts.*

In 1870, D. C. De Jarnette, Special Commissioner appointed to ascertain the extent of original papers bearing upon the boundary line between Virginia and North Carolina, transcribed and compiled two volumes of documents, with indices. These volumes contain also many other papers general in character. Among them, in I:

1630. May 15. Articles of agreement between Lord Berkeley and William Boswell, Samuell Vassell, Hugh L'Amy and Peter de Licques for the settlement of Carolina in 34, 35 and 36 degrees of north latitude.

C. *McDonald Transcripts.*

These were made in 1860 by Angus W. McDonald, original commissioner appointed to determine the extent of the documentary material on the disputed North Carolina boundary. Volume I, 1619-1626, contains:

1630. March (?). Rules for those who go to live in Carolina.
1629/30. Mar. 19. Articles agreed upon between Attorney General Heath and DeLance respecting the settlement in Carolina.
Various manuscript maps of the boundary line between Virginia and North Carolina, dated 1728, 1747, and printed maps of later dates.

D. *Aspenwall Transcripts.*

These transcripts contain much material relating to the Cherokee Indians, 1757-1772. They were purchased by the State of Virginia at the Barlow sale.

E. *Sparks Transcripts.*

Selections from the Virginia Council Chamber Papers made by Jared Sparks in 1826. Volume I, 1773-1781, contains:

1780. Dec. 31. General Greene to Governor Jefferson (extract).
1781. Feb. 2. Thomas Jefferson to Governor Nash of North Carolina.
1781. Feb. 10. Thomas Jefferson to General Greene.
1781. Feb. 17. Same to same (extract).
1781. Apr. 5. Same to same (extract).
1781. Feb. 10. Same to same (extract).
1781. Feb. 15. Same to same (extract).
1781. Feb. 15. Same to Baron Steuben (extract).
1781. March 10. Same to Governor Jefferson (extract).

1781. March 16. Same to same (extract).
1781. March 27. Same to same (extract).
1781. March 31. Same to same (extract).
1781. June 21. Same to same (extract).
Other letters of General Greene of perhaps equal value.

IV. MISCELLANEOUS UNPUBLISHED MATERIALS IN PUBLIC AND PRIVATE HANDS IN NORTH CAROLINA AND ELSEWHERE.

A. In the State Offices.

Treasurer's Office, Ledger A, 1779-1785.[1]

This large volume contains the accounts of the State with William Blount as paymaster (giving detailed account of payments to soldiers), 1779-1780; the account with Robert Bignall, commissioner of trade, 1780-1782; with Benjamin Hawkins as commercial agent, 1779-1780, as commissioner of trade, 1780-1781, and as delegate in Congress, 1782 (some of this now printed); and the accounts with the treasurers, auditors, commissioners, etc., for the various counties and districts.

State Library.

One volume of indentures, bonds, grants, etc., 1766-1768, 1784. This volume appears to have been left in the Secretary's office for recording lands, indentures of land, certificates, etc. Most of the records of this description are in 1766-1768, although some few are of earlier date. In the back of the volume are grants of land to individuals numbered 142 to 211 signed for the State by Gov. Alexander Martin, and all dated November 2, 1784.—Leland's Notes.

Secretary of State's Office.

This office contains the records of land grants extending from 1693 to date in about 190 volumes. Much of this material has been printed; more should be. The State of Pennsylvania a few years ago printed the complete list of her land grants down to the date of the publication of the volume. See also Land Grants under I, A. a, in this chapter.

Besides the lists of grantees of lands to be found in England and in the Secretary of State's office, there are also county lists of similar character, *e. g.*,

Chowan, 1796-98.
Craven, 1783-96, and later.
Perquimans, 1734-76, and later.
Rowan, 1753, to date, but with omissions.
Brunswick, 1789-1815.
Onslow, 1790 to date.
Carteret, 1713 to date.

[1]About seven years ago and at the instance of the Bureau of Historical Research of the Carnegie Institution, Mr. Waldo G. Leland made an historical survey of the manuscripts to be found in North Carolina. The major part of his Notes is reproduced herewith, including all of those referring to eighteenth century material and many of later date. These Notes have not been published, and for their use I am indebted to Dr. J. Franklin Jameson, director of the Bureau of Historical Research. Sections A, B, and C, following, are based mainly on Leland's Notes.

Various muster rolls, 1797-98.
Lists of justices of the peace in various counties, 1800-9.
Correspondence of W. R. Davie relating to his mission to France, 1799-1800.
Records of the colonial port of Roanoke, 1732-1748.
For the uses of economic history these records must be of much value.

Auditor's Office.

In this office there are a considerable number of volumes dealing with the financial side of the Revolution, including the accounts of North Carolina with the United States, Army accounts, Public accounts of the State, Receipts for money paid to officers, Settlements of army accounts, etc., etc. It is a safe premise that papers and records hidden here will yet show honorable contributions to the cause of American liberty by men who never bore arms, and while their service was less spectacular, it was no less important.

It is known also that some material of this character is extant in the counties, *e. g.*, Craven (See Report Amer. Hist. Asso., 1904, p. 606).

Historical Commission.

Mr. Charles L. Coon has also recently uncovered for students in his two volumes entitled "The Beginnings of Public Education in North Carolina: A Documentry History, 1790-1840," a hitherto little known class of sources in the unpublished legislative documents accumulated by the assembly from year to year in the shape of petitions, bills, reports, etc. These documents often failed to serve the end for which they were intended by their authors, but in the progress of thought, the history of things it was sought to accomplish is only of less significance than the things which were really accomplished.

It is not necessary in this connection to say more than merely refer to the documents and other papers, both *ante* and *post* Revolutionary, which are being accumulated by the Historical Commission. Its collections include the Iredell Correspondence, largely published already and deposited as a loan by the owner; letters of James Murray, 1760-1796; transcripts of papers of Richard Henderson; copies of letters from the autograph collection of George C. Thomas, including letters and documents from Penn, Caswell, Davie, Hawes, Martin and others.

B. The University of North Carolina.

The following account of the manuscripts in possession of the University of North Carolina is based on Leland's Notes. Much of this material has been printed (as indicated), and much is of the nineteenth century, but the account is thought worthy of being printed here pretty much as given by Mr. Leland.

1. Murphey Papers.

The story of these papers as given by Dr. Battle is as follows:

The collections of Judge A. D. Murphey which were not used for a history, as was intended, were deposited in the Cape Fear Bank in Raleigh. Gov. D. L. Swain procured the collection and brought it to Chapel Hill. At his

death it went (including the Caswell Papers) to his widow, who held on to them. An act of the Legislature was passed to secure them for the University of North Carolina, but they were not recovered. The papers of value, for their autographs, were sold to Dr. Thomas Addis Emmet of New York. Col. Saunders took what he wanted for the Colonial Records, and the remainder went to Chapel Hill, where they are now.

These Papers are now in course of publication under the editorship of William Henry Hoyt.

2. Council Journals, 1772-1775.

A book of 72 pages, together with a bunch of 4 loose leaves, which seem to be the rough journal or minutes of the Council acting in its executive capacity. Many, perhaps the larger part, of the entries are not printed in North Carolina Colonial Records. A number of the entries are for the Council sitting as a court of claims. The following dates are those on which the entries are made:

1772. May 16, 18, 19, 20, 22, 23.

1773. January 11,* 16,* 19,* 22,* 25,* 26,* 29;* February 4,* 6, 11;* March 9, 13, 16, 19, 21, 24; June 28 (order in Council of April 7 entered under this date. See Col. Rec., vol. 9); December 6, 18, 21, 22.

1774. March 8, 12, 15, 16, 19, 23, 26, 28; April 20; July 14,* 15,* 16, 18, 20, 23, 25; August 12 (Privy Council), 13 (Privy Council), 25.

1775. February 23, 24, 26, 27, 28; March 1, 2, 3, 9, 11, 14, 15, 17, 21; April 11, 12, 24.

A comparison with the Colonial Records would seem to indicate that more of this material is printed than Mr. Leland thinks.

3. Letters from Henry E. McCulloh to Edmund Fanning, 1765-1770.

These 21 letters are mostly personal, touching somewhat on business affairs, and occasionally on politics. Many of them are very racy and throw some light on the private life and character of the correspondents. They are dated:

1765. February 10; March 1; July 20; December 20, 21.

1766. January 10, 30; February 27; March 27; June 15.

1767. January 1, 25; September 12.

1768. January 26.

1770. June 20.

No date, 5 letters.

Letter from John Frohock to Edmund Fanning, April 27, 1764.

4. Jethro Sumner Papers, 1779-1783.

Probably all printed in North Carolina State Records.

5. Thomas Burke Papers.

These papers, of which the greater part has been printed, consist of:

(1) Letter book of Governor Burke, July 10-20, 1781, containing letters to Caswell, Nathanael Greene, General Jones, General Sumner and others, some of which are in Burke's own hand. Only one of these, that to Sumner, July 20, 1781, is printed. The letters are of considerable value.

*Council sitting as Court of Claims.

(2) A large number of drafts of letters of Governor Burke, 1781-1782; many of these are in Burke's hand and are to various persons. With three or four exceptions, all have been printed in North Carolina State Records. Mention may be made of a letter to Governor Harrison of Virginia, March 22, 1782, and of a long and interesting letter (not complete) dated "Within the British lines, Wilmington, Oct. 17, 1781," which contains an account of his treatment and experiences as a prisoner.

(3) Miscellaneous papers of Governor Burke, such as messages, proclamations, etc., and a journal of his official acts from April 4 to 21, 1781. Most of these, including the journals, are printed in North Carolina State Records.

(4) Drafts of three or four personal letters to relatives and friends in Ireland.

(5) A small memorandum book in Burke's hand, ranging from 1772 to 1780, containing reminders of purchases, scraps of accounts, a short list of "subjects for further correspondence with the Governor of North Carolina," made out while Burke was in Congress; and accounts of his expenses as a delegate; expenses at Baltimore; expenses at Philadelphia, March 8-July 7, 1777; expenses of journey from Philadelphia to North Carolina and account of cash expended at Congress, 1777-1780.

(6) Draft in Burke's hand of a committee report in Congress, recommending that negroes be armed and enlisted in North Carolina; draft of abstracts of debates in Congress, Feb. 8, 1777.

(7) Letters from Samuel Johnston to Thomas Burke, May 24, 1779; April 1-Aug. 9, 1783 [the last comments on the removal of Congress to Princeton].

(8) A small bundle of papers relating to the settlement of Burke's estate, 1783-1789, including letters of his executor, James Hogg, deeds, indentures, bills, accounts, etc., etc., with a memorial of James Hogg to the Assembly, praying for a grant to Burke's family to cover his expenses while a prisoner.—Leland's Notes.

Most of the material included under 1, 2, 3 and 7 seems to have been published.

6. Legislative Papers, 1782-1812.

These appear to be original legislative papers, such as belong in the archives of the General Assembly:

(1) List of papers laid before the General Assembly, April 16, 1782.

(2) Memorial of the magistrates of New Hanover County to the General Assembly, June, 1784.

(3) "Report of the committee appointed to inquire into the expediency of keeping a body of militia stationed at the frontier of this State." Signed by Willie Jones [no date] (published).

(4) Two small bundles of reports of committee on Propositions, Petitions and Grievances, 1798-1803, 1812.

(5) A small bundle of about 50 papers consisting of resolutions, committee reports, etc., 1799-1808.

7. Land Entry Book for Rutherford County, 1779-1780.

This volume is a copy.

8. DeRosset Papers.

Transcripts made by Louis H. DeRosset about 1880 while investigating matters of family interest. Most of these have been printed in the Colonial Records. The following have apparently not been printed:

Tryon to Hillsborough, Feb. 5, 1771, relative to manufactures (A. W. I. 92, No. 62).

Same to same, Feb. 6, 1771. Transmitting a list of land patents granted at a court of claims, held Nov. 30, 1770. Abstract of the list is given in the transcript (A. W. I. 92, No. 63).

Same to same, Mar. 10, 1771. Transmitting the journals of the council sitting as the Upper House of Assembly (A. W. I. 92, No. 66).

Same to same, April 13, 1771. Transmitting council minutes (A. W. I. 92, No. 71).

Council minutes, Feb. 13, 1771 (A. W. I. 92, No. 71).

Council minutes, April 15, 1771 (A. W. I. 92, No. 75).

Tryon to Hillsborough, June 30, 1771. Transmitting list of land patents, being a continuation of the list transmitted on Feb. 6, 1771. An abstract of the list is given in the transcript (A. W. I. 92, No. 76).

Petition of Inhabitants of Orange Co. to Gov. Tryon. Delivered to Tryon at Alamance Camp, May 15, 1771. May 15, 1771 (A. W. I. 92, No. 77).

9. Caswell Papers.

The Caswell Papers have two letters of Caswell to ———, dated April 20, and July 15, 1777, which seem not to have been published. The other letters mentioned in Leland's Notes have been published in Colonial and State Records.

10. Rowan County Court Docket, 1769.

This is the reference docket for the August term. It gives the names of the cases, indicates the writs, sheriff's returns and orders of the court. In short, it is a brief summary of the court's work for the term.

11. Tryon County Entry Book, 1772.

A book of 16 pages kept by John Kirkconell, showing the situation of each land grant, the number of acres and the name of the warrantee.

12. British Debts.

A book entitled "Proceedings in the Special Agency." It contains detailed items in the claims of Alexander Munn and Alston Young, with comments as to their validity by the special agent appointed to examine claims arising under the 6th article of the treaty with England of 1783. Of considerable interest as illustrating the operation of the 6th article of the treaty.

13. Instructions to Indian Commissioners.

Copy of instructions from Gov. Alexander Martin to Brig. Gen. McDowell, Col. John Sevier and Waightstill Avery, commissioners to treat with the Cherokee and Chickamauga and other Indians. n. d.

14. Poem by Gen. Robert Howe.

Copy of poem, said to have been by Gen. Howe, addressed to a lady of Charleston, S. C., and taken down from memory.

15. Land Grants.

Miscellaneous papers relating to land holding; grant from King to Earl Granville; grants from Granville; various grants from the King; Revolutionary grants, etc.—Leland's Notes. Descriptions are not full enough for me to tell if any of these have been printed.

16. List of Taxables.

Pitt County in 1763. A certified contemporaneous copy.

Same for New Hanover Co. List of taxables for St. James and St. Phillip's parishes. 1763. Shows number of white men and of negro men, women and boys.

17. University of North Carolina.

Many papers relating to the University of North Carolina. The bound volumes date from 1791 and relate to vacancies, claims, fiscal affairs, administrations, etc.

18. Letters to Gen. Henry William Harrington.

A few not very important letters from John (Gen.?) Caswell, J. F. Grimké and C. C. Pinckney, 1783, 1784, 1789, 1796.

The Grimké and Pinckney letters perhaps all printed.

19. Nathaniel Macon.

Letter to William Person Little, Philadelphia, Feb. 17, 1800, dealing with congressional affairs, French Revolution, etc. See also the Sprunt monographs for Macon Letters.

20. North Carolina Debt, 1781-1789.

A mutilated list of the certificates issued and received on account of the debt of North Carolina, 1781. Remarks by Abishai Thomas, one of the commissioners, on the amount of the certificate debt of North Carolina, 1789.

21. Stephen Cabarrus.

Letter to Standing Committee of Cabarrus County, Jan. 11, 1794.

22. Revolutionary Papers.

A large collection of miscellaneous papers, mostly military, which have been examined for the State Records, most of the important ones being published. There are letters from John Butler, James Iredell, Robert Rowan, S. Drayton, J. B. Ashe, Samuel McKensie, Alex. Martin, William McClure and others. Also an unpublished letter of Lafayette to ———, of May 14, 1781, on operations against Cornwallis in North Carolina, also 8 letters of Greene, 1781-1783, and a copy of his address to the people of Salisbury District, and a few transcripts.

23. John Steele Papers.

These papers were given to the University by the will of Gov. Swain. They consist of letters to Steele, drafts of letters from him and a mass of miscellaneous materials, such as bills, accounts, receipts, etc., in all over 1,000 documents, 1787-1815.

They deal with the settlement of estates of which he was executor; his duties in connection with the Cape Fear Bank; his duties as Comptroller of the Treasury, 1796-1802, and as commissioner on the boundary line between the Carolinas.

The more important of these papers are the following:

a. Twenty-one letters from William R. Davie, 1792-1814, on public affairs, politics, election of 1801, Federalism in North Carolina, etc.

b. Drafts of reports by Steele as commissioner on the South Carolina boundary line, July 2, 1807, and July 27, 1808, made to the Governor of North Carolina, with accompanying papers, considerable correspondence, together with a joint report to Gov. Hawkins, Sept. 20, 1813.

c. Twenty-nine letters from John Haywood, 1800-1809, relating to fiscal affairs, politics and personal matters.

d. About 20 letters from Nathaniel Macon, now printed in the Sprunt monographs, 1902.

e. Fiscal affairs pertaining to his duties as Comptroller of the Treasury, 1796-1802.

f. Papers relating to Indian affairs in 1789. These include a draft of the Cherokee treaty of 1789 and a long letter on that treaty from William Blount, dated May 5, 1789.

g. Correspondence with Judge Grimké, William Ruffin, William Polk (Aug. 27, 1802), William Barry Grove (Dec. 12, 1794).

h. Steele to Joseph Winston on congressional matters, New York, May 22, June 20, July 20, 1790.

i. Circular letter of Steele, dated Philadelphia, Feb. 7, 1792, being a general account of congressional affairs.

j. Steele to Davie, Nov. 26, 1809, on relations with Great Britain (draft).

k. Jos. Pearson to Steele, June 8, 1809.

l. John Kinchen to Steele, Jan. 27, 1786.

m. James (Jos.?) McDowell to Steele, Jan. 12, 1795, on Steele's acts in Congress.

C. Miscellaneous Papers Mostly in Private Hands.

Blount Papers: owned by Hon. Armistead Jones, Raleigh, N. C.

The Blount Papers number about 100 or more and are mostly between 1780 and 1800, with a few earlier and later. They relate to John Gray Blount, James Blount, William A. Blount, and Thomas H. Blount and others. The papers between 1780 and 1800 consist of indentures, deeds, receipts and other legal papers. There is a letter from William Palmer to John Gray Blount, dated at Bath, April 14, 1786; relates to private business.

These papers seem to have been associated with the Branch Papers and to have come into possession of the present owner by marriage.—Leland's Notes.

Iredell Manuscripts: owned by Col. Charles Earl Johnson, Raleigh, N. C.

The Iredell manuscripts, consisting of the papers and correspondence of James Iredell (1750-1799) and his son, James Iredell, Jr. (1788-1852),

are owned by Col. Charles Earl Johnson of Raleigh. The Papers of the elder Iredell contain about 8,000 manuscripts, of which the more important were printed in McRee's Life and Correspondence of James Iredell (2 v., New York, 1857-58), but there are doubtless many unpublished papers of value to the social historian.

The papers of Gov. Iredell extend from 2,000 to 4,000 in number and cover the first half of the nineteenth century.—Leland's Notes.

Miscellaneous Papers: owned by Mr. W. C. Bain, Greensboro, N. C.

Large leather-bound volume of mercantile accounts, consisting of journals, records of sales of goods, etc., kept at Wilmington, N. C., 1767 to 1795.

Invoice Book, outward and inward, of Hogg & Clayton, Charleston, S. C., 1762-1766, contains accounts of dealings with "Messrs. Grubb & Watson, merchants in London."

Invoice Book, outward, of Robert and John Hogg, Charleston, S. C., 17 June, 1767 to 1782. Gives list of goods shipped by Richard Grubb at Bristol.

Day Book of Hogg & Clayton, merchants and shippers, Charleston, S. C., July, 1764, to May, 1766.

These books were found in the "Norwood House" in Hillsboro, N. C., about 1892, "with many similar volumes probably now destroyed."—Leland's Notes, quoted from Mrs. P. B. Hackney, Greensboro, N. C.

In possession of Y. T. Ormond, Kinston, N. C.

Miscellaneous family papers, mostly local, but containing also a contemporaneous account of the battle of Alamance.

In possession of Professor E. Vernon Howell, Chapel Hill, N. C.

Original ledgers dealing with the financial side of the Transylvania Purchase, with letters from Boone and other adventurers.

In possession of Stephen B. Weeks, Washington, D. C.

Roster of Col. Charles Polk's company of militia, 1776, 1779 (copy).

Account book of mercantile firm in Wilmington, 1767.

Commission of Daniel Akehurst as secretary of that part of Carolina north and east of the Cape Fear, Feb. 8, 1692/3.

Land grant, c. 1700.

Letter of John Lancaster, Pasquotank County Tory, c. 1783.

A great mass of manuscript material dating from the first years of the nineteenth century.

Guilford Battle Ground Association Museum, Greensboro, N. C.

Ledger kept in Bute Co., N. C. (now Warren), 1769-1775, with records of sales of "grogg," "toddy," etc. Believed to be the account book of Jethro Sumner, later a Brigadier General in the American Revolutionary Army.—Leland's Notes.

Trinity College, Durham, N. C.

Farabough Papers. Contain some materials illustrating prices between 1764 and 1815.

Slade Papers. These are the papers of General Jeremiah Slade and are mainly between 1800 and 1850. They include the papers of General Slade in his dealings with the Tuscarora Indians in relation to the money owed them by the State of North Carolina, accounts, receipts, correspondence, 1803-1818.

Legal papers, indentures, contracts, deeds, wills, etc., 1750.

"A Journal of a Journey from Williamston, Martin County, N. C., to Nashville, Tennessee, commenced on the 27th day of June, 1819."

Various economic papers, 1805-1870.—Leland's Notes.

Guilford College.

Besides the Church records mentioned elsewhere, there is in possession of the college one volume of Minutes of the General Association of the Manumission Society of North Carolina.

This extends from July 19, 1816, when the first meeting was held at Center Meeting House, to July 25, 1834. These societies were probably organized by Charles Osborne, a native of North Carolina. They contain reports, memorials to the assembly, etc.—Leland's Notes.

Masonic Records.

It is perhaps proper to mention here the fact that a number of Masonic lodges were chartered in North Carolina prior to the close of the eighteenth century. The records of at least one of these lodges (Royal White Hart at Halifax, dating from 1765) have been preserved from the beginning, and doubtless contain material of general interest that would well repay the labor of selection and the cost of printing.

D. State and Other Newspapers Down to 1801.

It is probable that some material of historical value—perhaps not very much, however, in actual amount—may be gleaned from the newspapers of Charleston, S. C., Williamsburg, Va., and from some of those still further to the north. The Historical Commission has already made a good beginning along this line. The work should be pushed systematically and thoroughly, as Mr. Salley has done for South Carolina, Mr. Nelson for New Jersey, and as Mr. Lyman Horace Weeks is undertaking to do in his Historical Digest of the Provincial Press (Mass. Series, vol. 1, 1911).

All newspapers published beyond the confines of the State should be examined so far as their contents promise results. The North Carolina newspapers, certainly all of those of the eighteenth century, known to be in existence, should be located and all material of State or local interest copied.

The following tentative list of eighteenth century North Carolina newspapers, with their location, has been compiled:

British Public Record Office, London.

Newbern.

Friday, April 15, 1757 THE [Numb. 103]

NOTH CAROLINA GAZETTE.

A printed newspaper, 4 pp. In C. O. 5, v. 18, p. 173. Older than the copy (No. 200) in the American Antiquarian Society.

1765. Nov. 20, 27 (Nos. 58, 59).
1766. Feb. 12, 26 (Nos. 70, 72).
1769. Nov. 10 (No. 73).
1774. Sept. 2 (No. 287).
1775. Feb. 24, Apr. 14 (Nos. 312, 319).

In Dec., 1755, James Davis issued the North Carolina Gazette in Newbern. In September, 1764, Andrew Steuart issued in Wilmington the first number of the North Carolina Gazette and Weekly Post Boy. I am inclined to believe that the papers listed above are all copies of Davis's journal, although the running numbers would at any rate indicate a new series. See, also, under Massachusetts Historical Society.

Wilmington.

Cape Fear Mercury:
1773. Dec. 29 (No. 204).
1775. July 28, Aug. 7, 11, 25, Sept. 1 (Nos. 266, 267, 268, 269, 270).
Established by Adam Boyd, Oct. 13, 1769. For the exact location of these newspapers in the B. P. R. O., see Stevens's Index, alphabetical.

American Antiquarian Society, Worcester, Mass.

Edenton.

State Gazette of North-Carolina. Printed by Hodge & Wills:
1792. Mar. 30 (vol. 7, no. 324).
1793. May 11, 25, June 1, Aug. 17, Sept. 21 (vol. 8. nos. 382, 384, 385, 396, 401).
1794. Jan. 4, 31, Feb. 7, May 2 (vol. 8, no. 416; vol. 9, nos. 420, 421, 433).
1796. Jan. 14, Feb. 4, Mar. 3, May 19, June 2 and extra, 16, 30, July 7, Oct. 20, 27, Dec. 22, 29 (vol. 11, nos. 522, 525, 529, 540, 542, 544, 546, 546 [*sic*], 561, 562, 563, 564).
1797. Jan. 5, 12, 19, Mar. 16, June 22, 29, July 13, 27, Aug. 10, Sept. 7, Nov. 2, Dec. 21 (vol. 11, no. 572; vol. 12, nos. 573, 574, 582, 596, 597, 599, 601, 603, 607, 615, 622).
1798. Mar. 1, May 10, 24, July 4, Aug. 29, Oct. 31, Dec. 26 (vol. 13, nos. 632, 642, 644, 650, 658, 668, 674).
1799. Jan. 2, 23, 30, Feb. 20 (vol. 13, no. 675; vol. 14, nos. 672 [*sic*], 673 [*sic*], 676 [*sic*].

Fayetteville.

The North-Carolina Chronicle; or Fayetteville Gazette:
1790. Feb. 1, May 10, 24, 31, June 7, July 19 (vol. 1, nos. 23, 35, 37, 38, 39, 45).
Established by Sibley & Howard, Aug. 24, 1789, w.

Continued as Fayetteville Gazette:
1792. Jan. 12, Aug. 7, Sept. 25, Oct. 2, 9, 16, 23, 30, Nov. 6, 27, Dec. 11 (vol. 1, nos, 12, 1 [*sic*], 8, 9, 10, 11, 12, 13, 14, 17, 19).
1793. Mar. 5, 12, May 21, 28, June 4 (vol. 1, nos. 32, 33, 41, 42, 43).
Printed every Tuesday by Alexander Martin for John Sibley.

The North-Carolina Minerva / and / Fayetteville Advertiser /:
1798. Nov. 17 (vol. 3, no. 139).
Fayetteville: Published every Saturday by Hodge and Boylan.
Later transferred to Raleigh. See below.

Halifax.

The North-Carolina Journal:
1794. Jan. 22, July 9, Nov. 3 (vol. 2, nos. 80, 104; no. 120).
1795. Jan. 12, 26, Oct. 10 (nos. 130, 132, 170).
1798. Jan. 29 (no. 289).
Halifax: Printed by Abraham Hodge, w.

Newbern.

North Carolina Gazette:
1759. Oct. 18 (no. 200).
1768. June 24 (no. 5).
For facsimile of the issue of Oct. 18, 1759, see Ashe's History of North Carolina, I. 290.
Established by James Davis in 1755, w.

North Carolina Gazette:
1790. Apr. 1, 15 (vol. 5, nos. 221, 223).
1794. Jan. 4 (vol. 9, no. 417).
Newbern: Printed by F. X. Martin.

Raleigh.

The North Carolina Minerva, / and / Raleigh Advertiser. / :
1799. Nov. 26 (vol. 4, no. 189).
Raleigh: Published every Tuesday by Hodge and Boylan.
Removed from Fayetteville.

Wilmington.

The Cape Fear Mercury: 1769. Friday, Nov. 24 (no. 7).
Wilmington (Cape Fear): Printed by Adam Boyd.

The Wilmington Chronicle: / and / North Carolina Weekly Advertiser/:
1795. Thursday, Oct. 22.
Wilmington: Printed by James Carey.

Hall's Wilmington Gazette:
1798. March 29, Aug. 30, Nov. 15, 29 (vol. 2, nos. 65, 87, 97, 99).
Wilmington: Published weekly (Thursday) by Allman Hall.

Library of Congress, Washington, D. C.

Edenton.

Post-Angel, or Universal Entertainment:
1800. Nov. 12.
Established 1800, w.

State Gazette of North Carolina:
1789. Mar. 10 to Dec. 3. Some mutilated, others missing. w.

Newbern.

Newbern Gazette:
1798. Nov. 24; Dec. 1, 8, 15, 22, 29.
1799. Jan. 12, 26; Feb. 2, 9, 16, 23; Mar. 2, 9, 16.
1800. May 23; Aug. 15.
Established 1798, w.

State Gazette of North Carolina:
1787. Oct. 4. Established Jan., 1786, w.

Raleigh.

North Carolina Minerva:
1800. Dec. 23. Established 1796, w.

Harvard University Library, Cambridge, Mass.

Edenton.

State Gazette of North Carolina:
1791. June 10-Sept. 13, Nov. 11.
1795. Feb. 19-July 23, Sept. 10-Dec.
1796. Jan.-Oct. 13.
1796-1797. Oct. 20, 1796-Apr. 20, May 18, 1797.
1799. Feb. 6.
Established by Hodge & Wills, w.

Herald of Freedom:
1799. March 27, May 1.
Established by James Wills, w.

Fayetteville.

North Carolina Centinel and Fayetteville Gazette:
1795. July 25, Aug. 8-29.
Printed by Thomas Conolly.

North Carolina Minerva, and Fayetteville Advertiser:
1796. March 31-Oct. 15.
1796-1797. Oct. 22, 1796-April 2, 1797.
1797. April 15, May 13-June 10.
1797-1799. Nov. 18, 1797-July 9, 1799.
Printed by Hodge & Boylan. They purchased "the press, type, etc.," of T. Conolly & Co., and the above is evidently a continuation of the Centinel, which must have been included in the "etc." See their ad. in N. C. Journal, Halifax, Jan. 11, 1796.

Halifax.

The North Carolina Journal:
1795. April 27-July 27, Aug. 10-Dec.
1796-1797. Jan., 1796-April 10, 17, 1797.
1797-1798. Dec. 25, 1797-Jan. 1, 1798.
Printed by Abraham Hodge.

Newbern.

The North Carolina Gazette:
1791. June 4-Sept. 24, Nov. 5.
1795. Feb. 14-July 11.
1796-1797. March 5, 1796-April, 1797.
Printed by F. X. Martin.

The Newbern Gazette:
1799. July 20.
Printed by John C. Osburn.

Raleigh.

The North Carolina Minerva and Raleigh Advertiser:
1799-1800. Sept. 10, 1799-Dec., 1800.
Printed by Hodge & Boylan.

Wilmington.

The Wilmington Chronicle; and North Carolina Weekly Advertiser:
1795. July 3-17, July 31-Sept. 24.
1796. Feb. 4-Aug. 4.
Printed by James Carey.

Hall's Wilmington Gazette:
1797. Feb. 9-Apr. 20, June 8-Sept. 21.
1797-1798. Sept. 28, 1797-Nov. 15, 1798.

The Wilmington Gazette:
1799. March 7-June 13, 1799.
1799-1800. Aug. 8, 1799-Dec., 1800.
Printed by Allman Hall.

All of the North Carolina eighteenth century newspapers in the Harvard University Library are from the Collection gathered by Professor Ebeling of Hamburg in the latter part of the eighteenth and early nineteenth century.

Massachusetts Historical Society, Boston, Mass.

Newbern.

North Carolina Gazette:
1765. Nov. 20 (no. 58. See also B. P. R. O).

Wilmington.

Cape Fear Mercury:
1770. March 9. Supplement (No. 22).

New York Public Library, New York City.

Newbern.

North Carolina Gazette:
1775. Oct. 6.

Pennsylvania Historical Society, Philadelphia, Pa.

Halifax.

North Carolina Journal:
1796-1798.
Established by Hodge & Wills July 23, 1793, w.

North Carolina State Library, Raleigh, N. C.

Raleigh.

The Raleigh Register and North Carolina Gazette:
1799. Oct. 22 (vol. 1, no. 1).
1800. To Oct. 7, and later.
Established by Jos. Gales, Oct. 22, 1799, w.

University of North Carolina, Chapel Hill, N. C.

Edenton.

State Gazette of North Carolina:
1790. Volume 5.

Fayetteville.

The North Carolina Chronicle; or, Fayetteville Gazette:
1790. Sept. 30 et seq. (vol. 2, no. 1 to no. 26).

Newbern.

North Carolina Gazette:
1777. July 4, 1777 (no. 383), to
1778. Nov. 30, 1778.

Library of Stephen B. Weeks, Washington, D. C.

Halifax.

The North-Carolina Journal:
1796. Monday, Jan. 11 (no. 182).
Halifax: Printed by Abraham Hodge, Joint Printer to the State with H. Wills.

E. Early Church Records.

Such of the early records of North Carolina churches and religious bodies as have survived are widely scattered. In this brief survey I have been greatly helped by Prof. William H. Allison's "Inventory of Unpublished Material for American Religious History in Protestant Church Archives and Other Repositories" (Washington: Carnegie Institution, 1910).

Baptists.

The Backus Collection, now in the New England Baptist Library, Boston, Mass., contains letters to Isaac Backus from North Carolina Baptist leaders as follows:
Barnes, Joshua, Pitt Co., Dec. 13, 1796; Jan. 30, 1799.
Burkitt, Lemuel, Northampton Co., Dec. 1, 1796; Jan. 23, 1799.
Gardner, Thomas, Warren Co., Feb. 6, 1797; Jan. 23, 1799.
Garner, William, Northampton Co., Feb. 16, 1797.
McCabe, John, near Edenton, Jan. 18, 1799.
Price, Absalom, Glasgow Co., Feb. 2, 1799.
Read, Jesse, Halifax Co., Apr. 3, 1795; Jan. 3, 1799.
Roberts, George, Person Co., Jan. 11, 1797; June 8, 1798; Feb. 26, 1799; May 4, 1801.

Reecks (Ricks?), Josiah, Granville Co., Feb. 15, 1799.
Vass, Thomas, Granville Co., Feb. 25, 1799; Apr. 30, 1801.
Whitfield, Needham, Wayne Co., Feb. 4, 1799.
Letter of the Chowan Baptist Church, 1728.
Wake Forest College possesses a number of the records of local Baptist churches, 1815-1860, which throw interesting light on social life, church history, etc.—Leland's Notes.

Congregationalists.

Dartmouth College Library has, in the Wheelock collection, an account of a mission to the Catawba Indians, 1774.

Lutherans.

The Lutheran Historical Society at Gettysburg, Pa., has an attested copy of petition of Germans in 1771 and memorial of Gov. Tryon to the Society for the Propagation of the Gospel.

Prof. Charles Lee Coon tells me that he has found and preserved several record books of individual Lutheran churches in some of the western counties and will soon make them the basis of extended historical studies.

Presbyterians.

The Presbyterian Historical Society, Philadelphia, Pa., possesses the following North Carolina material:
Minutes of Concord Presbytery, 1795-1892, 9 vols.
Minutes of Orange Presbytery, 1795-1812, 1825-1885, 9 vols.
Extracts from the minutes of the Synod of Carolina pertaining to the Presbytery of Orange, 1788-1812.
Extracts from minutes of the Synod of North Carolina, 1813-1826.
Minutes of Roanoke Presbytery, 1836-1839.
Constitution and resolutions of the Synod of North Carolina.
"Reasons for separate organization as communicated in two letters to a gentleman of Virginia."

Protestant Episcopalians.

The Hawks manuscripts, now at the Church Missions House, 281 Fourth Avenue, New York, contain the Hawks Transcripts from the original archives at Fulham Palace and Lambeth Palace. They deal mainly with the efforts of the Society for the Propagation of the Gospel in Foreign Parts (S. P. G.) to found churches in the colonies. The North Carolina documents have been printed in this series. A detailed list of them is given in Allison's Inventory.

At the same place is a part of the correspondence of Bishop John Stark Ravenscroft, consisting of 4 volumes of letters, 1818-1830, mostly to him, but a few by him, originals or copies, over 200 in all. There are a few miscellaneous papers and also his "Episcopal Journal," July 8, 1824-Oct. 6, 1828, showing places visited, confirmations, baptisms, etc. There is also a subscription paper for Edenton Theological Seminary, 1821.

A few local records, like the Vestry Book of St. Paul's Parish, Edenton, have survived. They are filled not only with church and individual matters; but contain material on various phases of civic life which have, since the disestablishment of the church, passed under the administration of the State.

Quakers.

Beyond question, the church organizations which have been most fortunate in the preservation of their manuscript records are the Friends or Quakers and the Unitas Fratrum or Moravian Brethren.

The oldest and most important of these are those of the Quakers. They begin about 1680 and come down to the present. In the earlier days the Society was relatively more numerous and important and there are few sections in eastern and middle North Carolina untouched by their influence and few families who are not proud to claim connection. A detailed survey of these manuscript records has been printed (see my Southern Quakers and Slavery, 1896, 348-351). They contain a great mass of vital statistics, recording births, marriages and deaths. There are references to political and economic affairs, and for a study of the sources whence come the English-speaking peoples of Piedmont Carolina they are indispensable. A judicious selection from these records would be of amazing service along several historical lines and would be a contribution not only to Quaker history, but to Methodist history as well, for as I have pointed out elsewhere, George Fox was perhaps as much the founder of Methodism in Carolina in 1672 as was Robert Williams in 1772.

Unitas Fratrum or Moravian Brethren.

Of first importance from the standpoint of the fulness and completeness of their records are the Moravians, who have always been a feeble folk in North Carolina, but who have exercised an influence out of all proportion to their numbers. In the matter of the preservation of their records they, like the Quakers, have set an example of diligence, care and historical enthusiasm which stronger denominations have lacked.

There is much material in the Moravian archives at Herrnhut, Germany, relating to the Moravians in Pennsylvania and North Carolina, mostly copied from the American originals.—Learned's Guide.

The archives of the Brethren at Bethlehem, Pa., contain a considerable amount of North Carolina material, including:

Account of their work among the Cherokees, including diaries and letters and a Brief Description of the Cherokee Country, 1766, written to Ettwein by John Daniel Hammerer.

Report (German and English) of the journey of Martin Schneider to Long Island on the Holston River and thence to the Upper Cherokee towns on Tennessee River, Dec., 1783-Jan., 1784.

Account of the settlements in North and South Carolina, 1794.

Salem:

Diaries, 1775-1782; 1783-1803; 1806-1809.

Letters, 1767, 1770-1797; 1802-1848.

Extracts from the church books, 1818-1848.

Reports of the Society for the Furtherance of the Gospel among the Heathen in Salem, with reports of work elsewhere in North Carolina and in Virginia, 1822-1852.

Reports from neighboring congregations, 1810-1813; 1815-1818.

Salem and Wachovia:

Reports and memorabilia, 1819, 1836-1838.

Wachovia:

Diaries, 1753-1757; Mar.-Oct., 1759; Feb., 1760-1766; 1767, 1768.

Letters, 1762-1764.

Extracts from reports, 1804, 1805, 1810, 1811.

Memorabilia, 1815-1818.

It has also Report of Wachovia directors of the Society for Propagating the Gospel, concerning its mission among the Cherokees and an attempt to found a mission among the Creeks, presented at a meeting of the Society, Salem, N. C., Aug. 21, 1810.

Account of Andrew Schoute's journey from Bethlehem to Bethabara, N. C., 1759.

Report of Abraham Steiner's journey from Spring place to the Creek country, his transactions there and his return to Wachovia, Sept. 3-Oct. 2, 1803.

Report of journey of Utley from Bethlehem to Bethabara, N. C., 1766.

Various miscellaneous documents concerning affairs in Wachovia, including letters and description of journey from Bishop of Spangenberg, 1752, 1753.

The North Carolina Moravian archives are preserved in the Archives House in Winston-Salem, are complete and continuous since 1753, the date of the settlement. Down to 1855 they are written in German; since then in English.

There are various classes of records:

Diaries. These are the daily records of events in the province of Wachovia and in the separate congregations, together with notes on outside matters of interest. These are complete since 1753, and each diary is a brief summary of the year's events. They narrate not only local church matters, but matters of general interest to the State, *e. g.*, the Indian wars, the Regulators, the Revolution.

Memoirs and other Sketches of deceased members.

Letters. These include letters from missionaries of the S. P. G. and from those among the Indians.

Records. These include the minutes of the governing board of Wachovia, of the congregation councils, and the church registers.

Some further account of the present condition of these records, together with an estimate of their historical value to the State, has been kindly furnished by Miss Adelaide L. Fries, the accomplished archivist of the Southern Province of the Moravian Church, who has them under her charge. Under date of February 13, 1913, Miss Fries writes:

"Our Archives are now in process of removal to new quarters—or rather they have been moved, and I am trying to get them on the shelves. It seems a good opportunity for sorting, at least as to general subject; so the work goes slowly. We have no index, and there are several large boxes of papers of whose character and value I have as yet little idea, but I will answer your questions as well as I can.

"The collection is of quite considerable size, consisting of books, pamphlets, and papers. The books are now classified, and show a complete series of Moravian text-books (daily texts) back to 1731. There are also hymn-books, Bibles, church histories, biographies, religious works, and several shelves full of miscellaneous books, Greek, Latin, English, and German. There are also some early editions of laws of the United States and North Carolina and a few of English laws in force here in Colonial days. There are a number of magazines, chiefly those issued by the Moravian Church,

though not entirely. The pamphlets I have not finished sorting. Papers, particularly, not yet sorted. All of these records, down to very recent times, are in German.

"The Church daily Diaries and annual Memorabilia go back to 1753. Church Registers are of even date. All births, marriages, and deaths of Moravians are recorded, and as only Moravians were allowed to live in the Moravian settlements, it gives us a complete record of early and later residents here, till about 1860, when people other than Moravians were allowed to live here, their names are not recorded, but the Moravian record continues to the present day. From the beginning it was customary to read a memoir of the deceased at every funeral; this series is not complete, but a large number are preserved. The earlier diaries give the arrival and departure of members. I am not sure when that was dropped.

"I should say that from a political standpoint our records are of no value, though there are chance references that are significant. Socially our people were a law unto themselves. Personally, the picture of early life here is fascinating; but it was hardly typical of the State at large, and perhaps the same could be said to some extent of the economic side, though there they came into much closer touch with the public. The Minute Books of various Boards, and the parallel account books, give a vivid picture of the religious, social, and business life in Wachovia. The most interesting package of papers I have found so far (that is, from a public standpoint), contains some of the papers on which Traugott Bagge based his sketch of the Revolutionary War—the sketch which contains the reference to the Mecklenburg Declaration. The letters are from leaders of the American forces in this section, and there are several proclamations and broadsides. The one which most interested me was a manuscript copy of Gov. Alex. Martin's Proclamation calling for the celebration of July 4, 1783. The Colonial Records show the action of the Assembly in April authorizing such a proclamation, but do not give the proclamation itself. Indeed, I do not know whether it was ever printed. This manuscript seems to have been sent here by the Governor himself, and our records show that the day was duly celebrated here. The act of Congress of similar tenor did not come till October, and the day so set was in December; so North Carolina was six months ahead again, and the records to show for it without a shadow of a doubt!

"From an educational standpoint the records are interesting. A boys' school existed almost from the beginning of Salem, though it did not develop into such an institution as Salem College. Of the latter I might say that while we celebrated its centennial in 1902, with absolute truth as regards the boarding school, I have since found that the day school for girls began in 1772, and after a continuous existence of forty years it was gradually united with the boarding school of which it is still an integral part, so we were just thirty years too modest in our claims as to age for the school as a whole!"

F. County Records.

The State of North Carolina, unlike the New England States, has kept no vital statistics. The nearest and only substitute for the vital records of New England are the county records, which have been kept

with more or less care in all the counties. They are indispensable in the study of biography and family history, being in most cases the only official documents in existence on the latter. They are of even more value in the study of the social and economic life of the period, and the good use to which they can be put has been forcibly shown in Mr. Bruce's volumes on the Economic and on the Social Life of Virginia in the seventeenth century, for these excellent historical studies are based almost exclusively on county records, and without such records could never have been written.

Materials of this kind, varying in amount and value according to the age of the county, the misfortunes, the fires and the despoliations it has suffered, and also according to the intelligence and faithfulness of its custodians, are to be found in all the counties. They are as yet practically unexploited, but Hathaway has printed enough from the records of the Albemarle section to show the immense historical wealth still hidden away in these depositories.

That students are beginning to recognize the immense value of these local records for historical purposes, and the necessity of making calendars for the same is shown by two recent addresses on the subject printed in the proceedings of the thirteenth annual meeting of the State Literary and Historical Association. In speaking on "County Records as a Source of Local History," Mr. Francis Nash of Hillsboro said in part:

" . . . They touch the life and activities of the inhabitants of the country at nearly every point. If one should be an infant, owning property, they show the appointment of a guardian, the nature of his property and how it is managed. When he comes of age, they show this by the return of his guardian and by his assessment for poll tax. The tax lists, after the Revolution, as well as the deed and mortgage books, show whether he is managing his property well, or is a spendthrift. If we wish to know whether he was a slaveholder, the tax lists will show that, and also the number of these slaves between 12 and 50 years of age. If we should wish to know his trade or profession, sometimes the deed books will show that, from his designation as weaver, hatter, smith, merchant, farmer, doctor, lawyer, planter, or gentleman. If he was an office-holder, the court records will show that—overseer of the roads, constable, deputy sheriff, sheriff, justice of the peace, clerk of the court, register of deeds, colonel, captain or lieutenant of militia; whatever he may be, they will show it. His marriage, when and to whom, will be found among the marriage bonds, his crimes on the State dockets, and his lawsuits on the civil dockets. The time of his death will be known from the appointment of his administrator, or the probate of his will, and quite frequently the number and names of his children, as well as the amount and character of the property he leaves to them. . . .

"But the view that I have been taking of these records appeals more to the genealogist and biographer than to the historian; and there is a larger view.

What part of the county was first settled, and why? What was the character of the settlers, their religion, their educational advantages, and their political outlook? What part of the county, after its first settlement, most attracted immigration, and why? Why was the county seat located where it was, and who was principally interested in securing that location? What was the character of the county court, and of its officers, and why and how were those officers appointed? If there were different races among the settlers, what was the contribution of each to the development of the county? What was the daily life of the people, what their sports, what their amusements? What interest did they take in public affairs, and how did they manifest it? What crimes were most prevalent among them, and why? Were they litigious or peaceably inclined? From what race came the greatest number of criminals, and why? *et cetera*. All these questions and many more can be answered by vitalizing the dry bones of county records with a glowing but intelligent imagination, that which is able to reconstruct and realize the past and its actors, and make them live again on the pages of history.

"Again, it may be that hid away in these records is some fact, or some evidence of the existence of a fact, which will throw a clear light upon an obscure or controverted point in our history. . .

"Again, these records are an invaluable aid to the biographer. There was scarcely a prominent man in the province or the State who did not figure largely upon them. If he was a lawyer (and most of them were), we can, from them, form some estimate of the extent of his practice and of his weight and influence in the community. If he was a planter, we can ascertain how much land he owned and how many slaves. If he was a merchant, the dockets will supply some indication whether he had a good credit and if he was, himself, a harsh collector from his own debtors. If he was a court officer—for instance, clerk—his personality is apparent, in a certain sense, in all of his records, etc.

"Quite frequently, too, traits of character appear in unexpected places, traits that sometimes cause a modification, if not an alteration, in one's previous estimate of the man.

"Again, they are valuable as verifying or disproving tradition. . . . The evil that men are thought to do lives after them, as well as that they do. Remembering this, the historian has a difficult problem in determining how much of tradition is false and how much is true. If he has an adequate knowledge of human nature and of the springs of human action, a thorough examination of these county records will often direct him to a correct conclusion. . . .

"Finally, there is a still broader view to take of these old county records. The counties are, after all, but parts of the State and separated from each other by only imaginary lines. He who is to write the history of the people of North Carolina must be familiar with them if his story is to be true and full. These people, as individuals, in some form or other make their marks, for good or for evil, upon these records—marks which are sometimes pregnant with meaning to the intelligent investigator. Hints there are, here and there, to the skillful interpreter, of their manner of life, of their habit of thought, and of their social, economic, and political development: and he who is not content to deal only with the surface of things, but wishes to get at their heart, cannot disregard them without being false to his own high calling—as interpreter of the people to the people."

In treating the same subject from the standpoint of the State, Prof. Charles L. Coon said in part:

" . . . I am interested in these records for larger reasons than those which merely concern the purely local. To me the records of Lincoln, Mecklenburg, Rowan, and neighboring counties have been the principal source of information I possess relating to the educational, industrial, religious, social, and political life of the people of the middle section of the State, especially the German people and their contribution to our North Carolina life. In the county records of that section I find lists of books which individual men and women had in their possession at the time of their death, lists of their household furniture, lists of the articles sold in the stores, articles of agreement entered into between teachers and parents, bills for tuition which indicate the subjects taught in the schools, references to the games and sports of the people, receipted bills showing the payment of the preacher's salary, invaluable data relating to slavery, receipted bills showing the amounts contributed by individuals toward the erection of churches and schoolhouses, data relating to local customs, such as having liquor and cakes at funerals, data showing the fees charged by the German preachers for baptisms and funerals, data relating to the manufacturing enterprises carried on in the pioneer days, and data showing the treatment accorded the helpless and delinquent members of the community. . . ."

I would further emphasize the fact that the possibilities of these records in the various fields of social history have been amply demonstrated in the two volumes recently published by Hon. J. Bryan Grimes under the auspices of the Trustees of the Public Libraries and entitled: Abstracts of North Carolina Wills (1910) and North Carolina Wills and Inventories (1912). The evident value of these published volumes to the student should be sufficient argument for the continuation of the series.

The main cost of such a series would lie in the preparation of copy. This should not be hack work. It would demand in its preparation a high order of historical talent, an acquaintance with historical methods and materials and an ability to recognize the possible value of every item presented. There should be at first a uniform survey of all the county records in the State, with a careful estimate of their relative amount and importance. Then a general form to be rigidly followed in the abstracts, or calendars, could be evolved, and in this way the individuals engaged in the abstracting could be held to a high standard of uniformity. And as good work will in the long run cost little more than poor work, let us by all means insist that the calendars be so well and so exhaustively done and so accurately printed that there will never be occasion to refer to the original again.

Publications such as those here outlined would of necessity contain the following classes of materials:

a. Marriage Bonds.

Until about the period of the Civil War marriages were consummated in North Carolina by the groom filing a bond with good and sufficient sureties with the county clerk. These bonds named the prospective bride and groom, the sureties, and the date. They were usually on single sheets, a printed form being filled out. The originals were filed in the county archives, and since they were not copied into a book, it is believed that no other official record of these marriages exists. In some cases they were either never filed or were later removed, for it not infrequently happens that such bonds are found even now in private hands. It is certain that many have been lost or destroyed, and this will continue to be their fate despite the utmost care which might be bestowed upon them; and the care which such records received until the revival of the historical sense in the last few years was practically nil. It is suggested that all marriage bonds to be found down to the time when the present system of registration took effect be printed. This proposition is not really as big as it sounds, for these records would not average more than two lines each.[1]

b. Official Registers of Births, Marriages and Deaths.

It is true that North Carolina has only within the last year laid the foundations for a system of vital statistics, yet it has been shown in Chapter I that one of the provisions of the Fundamental Constitutions was intended to meet this very requirement; but the people, not feeling need for such records in the affairs of everyday life, and not having evolved into the reflective stage, allowed the keeping of such records to lapse in part. Mr. Hathaway has discovered such records for Perquimans County—Records of Marriages and Births, 1679-1754, 3 volumes—and has published the same. There is also an incomplete record for Pasquotank—Records of Births and Marriages, 1719-1737.

It is believed that systematic research may reveal similar records for other counties. They should all be printed.

c. Wills and Inventories.

Wills, inventories, guardianships, and other administration papers, representing the immediate and tangible affairs of both living and dead, touching the lives of the people in their most intimate relations on every side and every day, have as a natural result been best preserved. Nor is there a more valuable source of social history, for they contribute

[1]Hathaway quotes Chowan bonds as late as 1870.

to biography and genealogy—the individual and the family—to the political, industrial, economic, and religious history of the people whom they represent. The wills should be so calendared as to bring out all personal names and relationships, and all local topographical references; descriptions of lands should be included to aid in identification to-day, and all items that partake of the nature of inventories, for as a rule inventories were not returned for the estates of men who made wills.

The inventories themselves should be treated liberally and printed almost in full, for the larger the amount of material of this character on which the social historian of the future has to base his conclusions, the more accurate those conclusions will be. If every will and every inventory in the State throughout the eighteenth century is thus treated, the future student will be by that much the better prepared for his work.

d. Deeds.

The records of land transfers and other deeds, like wills and inventories, come very close to the life of the people and have as a rule been well preserved. Brief abstracts of these transfers, showing prices, position and character of lands, relationship of parties, etc., would be of great service to various classes of students, especially to those seeking the time of the settlement, the causes of settlement, and the section from which the settlers came.

e. Court Records.

The various court dockets furnish an almost inexhaustible mine from which can be drawn materials illustrating in a large way economic conditions and the civil and criminal jurisprudence of the State, as well as individual strength and weakness.

Such materials known to exist in some of the counties prior to the nineteenth century may be indicated under such heads as:

Assize dockets,	Equity dockets,
Minute dockets,	Criminal dockets,
Trial dockets,	Civil dockets.
Executive dockets,	Reference dockets,
Processioning dockets,	Chief Justice's dockets,
State dockets,	General Court dockets, etc.[1]

To these rather long lists of material might be added various others which would include extracts from the Proceedings of the Courts of

[1]For an extended account of the material in some of the older counties, see Report American Historical Association for 1904.

Pleas and Quarter Sessions (Justices of the Quorum or Inferior Courts); Lists and bonds of ships entering collectors' ports; Custom house papers; Ordinary licenses; Account books of various sorts; Tax lists; Taxables; Stock marks; Road books; Mortgages; Fees; Certificates of registry; Guardians; Dowers, etc.

But enough has been given, without going into further details, to reveal to the dullest mind the immense stores of historical knowledge that have been locked for generations in our local archives. By the arrangement and classification, the abstracting and publication of this material, and other documents as here indicated, the coming generation would render to posterity an historical service comparable in importance to that which has been rendered by the present generation in the publication of the series which is now being brought to a close.